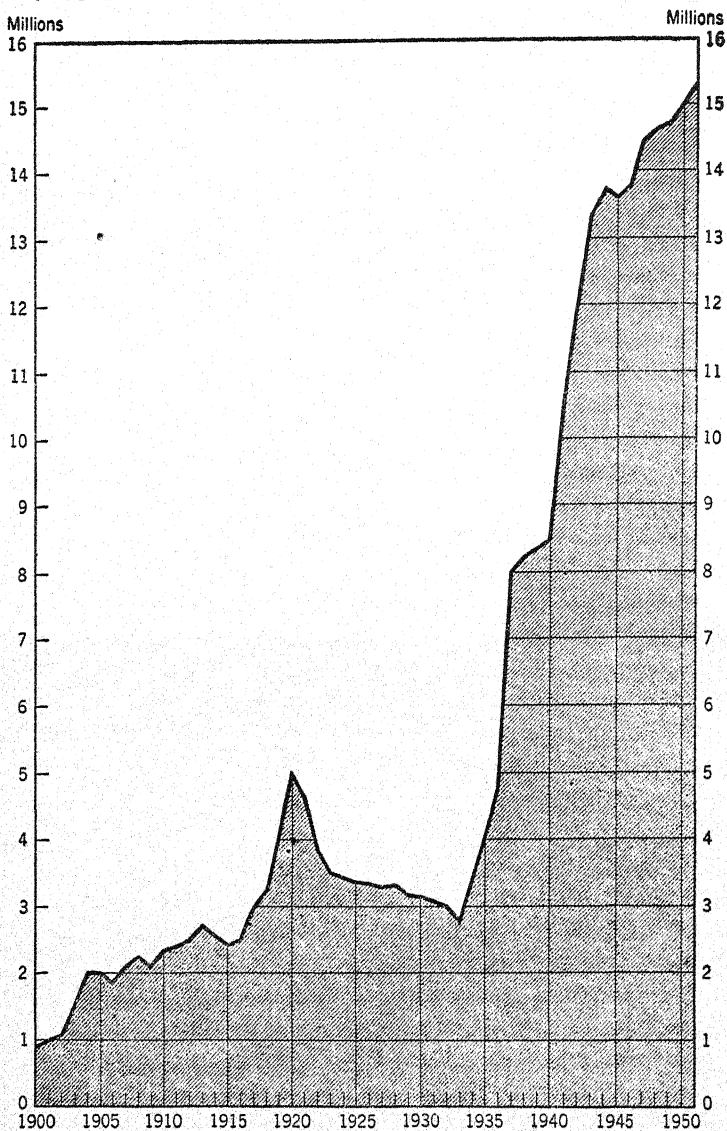


AMERICAN LABOR UNIONS



UNION MEMBERSHIP IN THE UNITED STATES, 1900-1951





American Labor Unions

What They Are and How They Work

by FLORENCE PETERSON

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U.S. Bureau of Labor Statistics*

Revised Edition



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AMERICAN LABOR UNIONS

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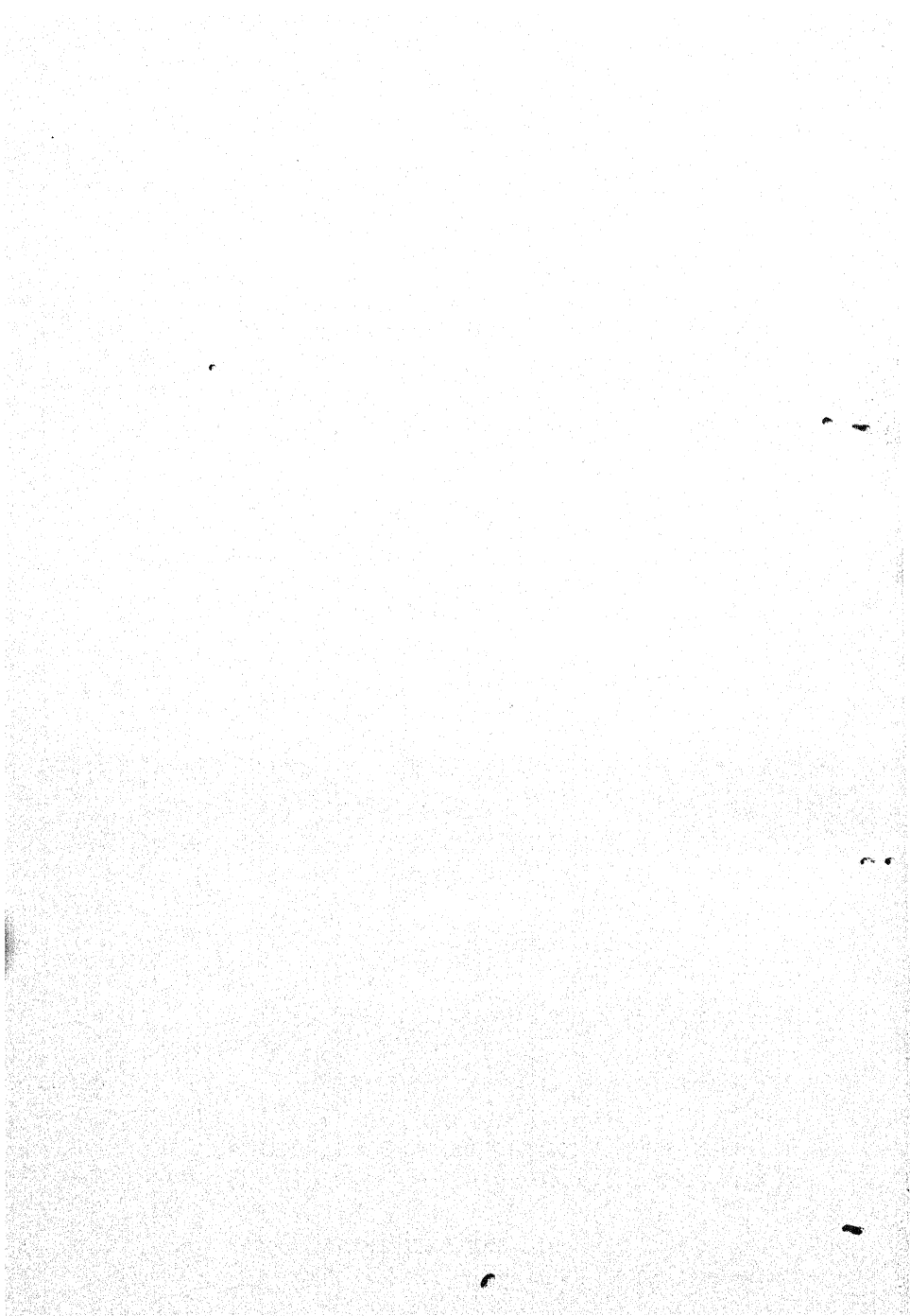
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PREFACE TO FIRST EDITION

The life of every person in the United States, whether engaged in business or the professions, whether a politician, housewife, farmer or worker himself, is affected in some way by the existence and activities of labor organizations. This will continue so long as we maintain a democratic form of government and a system of free enterprise in business, because organizations of workers are a natural concomitant of a competitive economy and an evidence of a free society.

Although all of us are more or less conscious of the presence and influence of labor organizations, few of us have much understanding of why and how they came to be such an important factor in our industrial and national life; fewer still have much knowledge of their mechanism, their rules of procedure and internal government. Those not connected with labor unions are prone to think of them in connection with isolated actions which receive headline notices in the daily press; union members naturally think of them in terms of what their own unions are doing for them on the job; students of labor problems are inclined to think of organized labor as an amorphous movement whose direction, for good or bad, is controlled by a few dominant leaders. These are important, but are fragments of the whole.

The purpose of this volume is to describe how labor unions, as organisms, perform their functions and conduct their daily affairs. There are a number of books on labor problems and the labor movement, and much literature, true and untrue, about individual labor leaders and particular actions of trade unions. This volume does not deal with those subjects commonly classified under "labor problems," nor is it an interpretative history of the labor movement. There has been no attempt to discuss the economic, political or sociological forces which have brought into being the modern labor union; neither does it discuss the labor leaders who have influenced the course of the

trade union movement. The omission of these matters does not indicate that the author depreciates their importance, for personalities and circumstances are important factors in any movement. Nonetheless, the character and effectiveness of organized efforts are also strongly influenced by their internal mechanism and rules of operation.

The necessarily brief discussions on each subject are devoted primarily to revealing the customary practices and the more common characteristics of labor organizations, although individual unions are frequently mentioned either as illustrations of general types or as deviations from the prevailing practice. The discussions are based largely on the written word—the constitutions, by-laws, collective agreements, and literature of labor unions. One would be a novice in human affairs to assume that any formally adopted policies and rules—be they civil laws, declarations of faith, or statements of policy of any society or group within a society—are an accurate portrayal of the group's conduct at all times and under all circumstances. However, in spite of the obvious limitations inherent in any exposition which is largely based upon formally adopted rules and policies, any organization's fundamental laws are of supreme importance: they reveal its general character and aspirations and in the last analysis they are the guidepost for its course of action.

It should perhaps be noted that while the author has made use of materials available in the Department of Labor, the factual findings and interpretations presented in this volume are entirely the responsibility of the author.

January, 1945

FLORENCE PETERSON

PREFACE TO SECOND EDITION

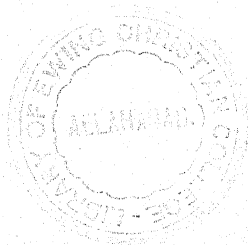
The first edition of *AMERICAN LABOR UNIONS* was written in 1944—a year before the close of World War II. Much has happened during the intervening seven years, within this country and abroad, which has vitally affected the internal and external relations of the American labor movement. The changes in union structure and activities which have taken place have necessitated major revisions and additions in most of the chapters in order to bring the discussions up-to-date. As in the earlier edition, the author has sought to present a maximum of factual information in a terse, readable form. The approach to the many controversial issues has been to let the facts speak for themselves, with a minimum of theorizing.

in American institutions, and their especial interest in labor organizations in these critical times. It is the sincere hope of the author that the present revised edition will receive as wide and favorable acceptance as the previous volume.

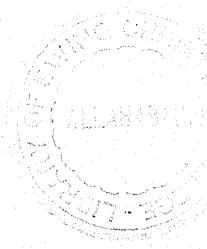
November, 1951

FLORENCE PETERSON

AMERICAN LABOR UNIONS







PART ONE

Growth of the American Labor Movement

Chapter 1

THE FIRST HUNDRED YEARS

The urge to combine with others for mutual protection and advancement is an inherent characteristic of human nature. In every form of society persons of similar economic pursuits and needs have tended to unite into associations for the purpose of promoting their common interests. The nature of these associations, and the methods pursued, differ according to the particular needs and desires of the members; they are also affected by legal and other forms of social control. Similar to any other kind of organized effort, the labor movement is an expression of group consciousness of common problems as well as convictions as to the remedies needed.

THE MEDIEVAL GILD—PRECURSOR OF MODERN UNIONISM

A labor union has been defined as “a continuous association of wage earners for the purpose of maintaining and improving the conditions of their employment.” Spontaneous strikes and rebellions of oppressed and dissatisfied workers are as old as history itself, but labor

unions are a product of comparatively modern times, since by definition they imply a wage system and more or less permanent and formal organizations of workers. Although there is no generic connection between the modern labor union and the medieval craft gild, there are significant similarities, as to both purposes and the methods by which these purposes were carried out.

The medieval gilds were based on a feeling of scarcity of opportunity. To protect their interests, the gilds brought influence upon the government to forbid anyone from practicing a trade who was not a member of the gild, and through their strict apprenticeship regulations and their restrictions of "foreigners" from other localities they saw that too many did not become gild members. Their work rules included quality standards to protect them from the competition of inferior workmanship, daily hours were limited, and night and holiday work was forbidden. The gilds, like many labor unions today, also performed certain fraternal functions such as providing financial aid in time of sickness or death of their members.

The medieval gild, however, was composed of both masters and journeymen and there was no conflict of interest between the two because the journeyman was serving a master only temporarily; in a few years he would also be a master and any advantages which he might gain from his master he would in turn have to give to his journeymen. The gild system was concurrent with an economy of local markets and no capital outlay except a few tools and a limited supply of raw materials. The gild was a group of craftsmen banded together for mutual protection and control of the local market. When the market was extended and more capital was needed to care for short credits and finished stock, the industrial grouping changed. The journeyman's opportunity for becoming a master grew more limited, and the great bulk of workers ceased to be independent producers who owned their tools and materials and themselves disposed of the product of their labor. The journeymen came to constitute a distinct and permanent class, and many of them formed gilds of their own as their masters gradually converted the craft gilds into merchant-employer gilds.

The use of power machines and the factory system widened the gap between employers and workers. The factory system, because of the increasing amount of capital required, necessitated combinations of capital resources which were legalized into corporations. The collective action of capital and management extended beyond the confines of

a single corporation and found expression in trade and manufacturers' associations, chambers of commerce, and other permanent and *ad hoc* combinations to promote and protect the interests of the investors and managers of capital.

In response, ever seeking a semblance of equality in the bargaining relationship, workers' organizations have expanded both horizontally and vertically. Local unions of skilled craftsmen have grown into national and international unions; workers of all crafts in an industry have united into industrial unions; both craft and industrial unions have formed city, state, national and international federations.

INFLUENCES SHAPING THE AMERICAN LABOR MOVEMENT

A labor movement connotes a continuous association of wage earners for the purpose of improving their economic and social well-being. The motive force and central purpose of the labor movement in this country, as elsewhere, is the improvement of the status of workers *as* workers. Its appeal and challenge is based on the premise that wage earners can and should share in the good things of life while remaining wage earners; that economic well-being and its accompanying social prestige and privileges need not be solely contingent upon becoming an employer or self-employed businessman.

Ever adhering to this general purpose there nevertheless have been many changes in specific aims and procedures of organized labor as a whole, and many differences among its component parts. Upon occasion these differences have lead to schisms, and it could be questioned whether one can accurately speak of "a labor movement" in this country. But despite the changes and diversities in organizational structure and policies which have taken place throughout the years, there has been a common and permanent thread of unity. The cohesive forces have been sufficiently strong and enduring to outlive and outweigh the influences making for disruption, although upon numbers of occasions the presence of conflicting purposes and rivalries have retarded growth and weakened bargaining and political strength. Before going into the factual history let us review briefly some of the diversified and conflicting factors which have been responsible for the shaping of the labor movement in this country.

Labor organizations are an integral part of any industrial society. They emerge with the separation of workers from the ownership of the instruments of production and the marketing of their products, the impersonality and subdivision of labor under the factory system, and the competition resulting from widening of markets. These conditions make for class consciousness, but in this country class consciousness of workers did not develop as early as in some other countries with comparable industrial advancement. Nor did national organizations of workers parallel the rapid growth and power of large business corporations. There were several reasons for the relative lack of widespread class consciousness on the part of American wage earners, and the lag in the development of strong national labor organizations.

Geographical and Political Factors

A major factor was the abundance of free land, available almost for the asking, during most of the nineteenth century. This had a two-way effect. Thousands of discontented workers from the eastern industrial centers who otherwise would have sought redress of their grievances through collective action, migrated westward and became independent landowners. Their departure, in turn, tended to keep down the labor supply in the eastern states, especially of skilled workers, thus improving the individual bargaining strength of those who remained and reducing the pressure for concerted action.

Closely related to the factor of abundant lands for settlement was the rapid growth and geographical expansion of industry which provided opportunities for workers to rise to managerial positions or establish businesses of their own. The growth of business gave sufficient substance to the "American dream of unlimited opportunities" to enable each generation to maintain the hope and expectation of rising out of the wage-earner class. If fathers failed, there was the enduring faith that, given adequate education, their children would succeed. Moreover, the growth in size and sectional diversity of business interests tended to minimize horizontal class loyalties in favor of geographical groups associated with particular economic endeavors. Thus, during the period around the turn of the twentieth century, wage earners in the middle west were inclined to identify themselves with agriculture and small business in the fight against eastern bankers and railroad interests. It was a fight against monopoly, but for the purpose of "freeing" small business and farmers rather than

wage earners from monopolistic control. Industrial workers tended to identify themselves with these other groups because of their family ties with farmers—most of them had come to the city from farms and their hope was that they soon would be able to buy farms or establish businesses for themselves. This was in contrast to the situation in Great Britain, for example, where there was little flow of peoples from agriculture to industry and where succeeding generations of industrial workers without the agricultural individualistic background encouraged the growth of class solidarity.

Widespread voting privileges which were early enjoyed by workers in this country served in several ways to lessen their feeling of class consciousness. The very fact that they had the right to vote and participate in political activities tended to make them feel that they were a part of the body politic and not a class separate from the rest of the community. Secondly, unlike the situation in some of the older countries where the franchise was long reserved for the upper economic classes, it was not necessary for the industrial wage earners in this country to organize for the purpose of gaining the right to vote. Popular voting was the heritage of an evolving political democracy rather than a result of economic class struggle.¹ Finally, the opportunity which the ballot gave to workers to express their discontent tended to assuage their desire for more overt and possibly more violent economic action. There was always the hope that campaign promises of justice and equal opportunity for all would be carried out!

Effect of Immigration

A major influence in the development of the American labor movement, as many other of our cultural and social institutions, was the successive waves of immigrants from the different lands of Europe during the fifty years before the passage of restrictive legislation in 1924. This immigration had contrasting influences upon the attitude and actions of American workers, but its net effect was undoubtedly adverse to the development of the kind of class consciousness which

¹ This does not imply that universal suffrage actually exists throughout the United States nor that the suffrage which exists was obtained without struggle. Property qualifications long existed in some of our Eastern states; women suffrage was granted in 1920 after years of agitation; the struggle to remove color restrictions still continues in some of our Southern states. For the most part, however, these efforts to broaden the right to vote do not represent economic class struggle so much as other kinds of group struggles.

was conducive to the early growth of a labor movement. It tended to accentuate occupational and cultural cleavages rather than to promote unification of all workers. Language differences, racial, religious, and national antagonisms among the various groups of immigrants, and between them and the native born, created formidable barriers to solidarity, and they became active forces against unity under the stimulus of employers who were prone to pit one group against another during strikes and organizational drives, thus utilizing group antagonisms to their own advantage.

It was not only the heterogeneity of the immigrant population but the background from which most of them came which influenced the development of the labor movement. The majority who came to our shores after the 1880's were peasants, used to hard work with meager pay, and with habits of docility and obedience. Most of them were unskilled and even those who had been skilled workers in "the old country" were forced to accept unskilled jobs because of language handicaps. This had a twofold effect: management tended to introduce devices to break down skilled jobs into semiskilled work suitable to their capacities, and the native born, while being pushed up the occupational ladder, were also ever aware of the competitive menace of the newcomers and were thus lead to organize into craft unions with membership confined to skilled workers.

Although the continual stream of immigrants tended to retard a crystallization of working class consciousness, their infusion into the American labor force wrought a positive and at times a decisive influence upon labor union action and policy. Many of the immigrants were persons of native ability and with qualities of leadership. Unable to rise to managerial positions or to political office because of language and prejudice against foreigners, they became leaders in the labor movement. With a background of racial and class oppression and convinced of the necessity for concerted action for the redress of grievances, they provided a vigor and kind of intellectual leadership which had a vital effect upon the basic philosophy and the numerical growth of organized labor.

Such factors as the existence of free lands, a fluid working population continually augmented by an influx of immigrants, widespread voting privileges, and an expanding economy with its consequent opportunities for individual advancement, were characteristics more or less

unique to the American scene. They explain, in part at least, the relative lag in the growth as well as the differences in policies of the American labor movement in contrast to other industrial countries. Fundamentally, however, the world-wide forces set in motion as a result of mechanization of industry, large-scale production and widening of markets, had the same impact upon American workers as those in all other industrialized countries. Even though their standard of living has been generally better than elsewhere, the dream of America as the land of opportunity and abundance has provided the incentive for aggressive and continued efforts toward further advancement

EARLY HISTORY

Machines and mass production have materially influenced the growth and character of labor organizations but labor unions in this country preceded the factory system. The earliest labor organizations, and some of the strongest today, were established in the skilled handicraft trades. The first organizations of labor in this country appeared among the carpenters, shoemakers, printers, and tailors in the east coast cities during the 1790's. These craft societies bargained over wages and hours, demanded closed shop conditions, engaged in strikes, boycotts, and picketing, paid strike benefits, regulated apprentices, and employed "walking delegates" to see that the terms agreed upon were enforced. These early workingmen's societies were local in scope, although there was some interchange of information among the societies of a given trade, and some concerted effort to deal with the problem of traveling journeymen who competed with resident workers.

Experiments Early in the Nineteenth Century

As the local craft societies became more numerous and active, more united efforts were made to alleviate some of the worst ills which beset the workingmen of that day. The various societies in the different cities united into "trades' unions" to provide common support during strikes, and frequently maintained a common strike fund accumulated through per capita taxes from each member society. Parallel-ing these city combinations, local societies of shoemakers, printers, carpenters, and weavers united into what they called "national"

organizations, although in reality their membership was limited to the larger eastern cities. During the "wild-cat" prosperity and rising prices of the middle 1830's, members of these city and craft organizations formed a National Trades' Union. All these organizations, in addition to seeking improvements in wages and hours, were concerned with broad social reforms such as free public schools, abolition of imprisonment for debt, and elimination of property qualifications for voting.

The national organizations as well as most of the local unions collapsed during the panic of 1837 and the ensuing years of business dislocations. New workingmen's organizations appeared during the forties, but these were concerned more with co-operatives, land reform, and general social improvement programs than with bargaining with employers. Numerous local trade unions came into existence with the general expansion of industrial activity and the rising prices that followed the discovery and use of California gold. In contrast to the workingmen's associations established in the forties, the major concern of these local unions was bargaining for better wages and hours. It was during the 1850's that several of our present-day national unions had their beginnings—the typographers, hat finishers, machinists and blacksmiths, and molders. All the labor organizations suffered a serious setback in the depression which began in 1857 when unemployment and wage cuts affected union treasuries and morale.

Post-Civil War Developments

Within a few years after the outbreak of the Civil War, many new local organizations and several national unions came into existence as a means of combating the soaring prices that resulted from the issuing of "greenbacks" and the lag in wage increases. There was a further interest in organization after the close of the war, when returning soldiers found that their skilled hand jobs had been supplanted by factory and machine production, when existing work standards were being menaced by the influx of immigrants willing to work for low wages, and when improved railroad transportation made it possible for goods manufactured in low-cost areas to be brought to higher wage markets.

Most of the organizations which emerged during the decade following the Civil War were craft unions. A progenitor of the modern industrial union was the Knights of St. Crispin, a shoe workers' union founded in 1869 for the purpose of protecting journeymen against

the influx of "green-hands" into their industry. With its 50,000 members, it was probably the largest union in existence at that time, but within a decade the Crispins disintegrated because of drastic wage cuts and the introduction of new machinery which they were unable to prevent.

After several attempts to unite the numerous national and local organizations, the National Labor Union was formed in 1866; it was a loose federation of trade unions and of some reform organizations which were not strictly concerned with labor problems. At first it directed its chief attention toward obtaining an 8-hour day but later it turned more and more to political action and began to espouse varied kinds of reform measures, social and fiscal. Thereupon many of the trade unions became dissatisfied and withdrew. The National Labor Union finally disbanded in 1872, after an unsuccessful attempt to form a National Labor and Reform political party.

The Order of the Knights of Labor

To circumvent employers' lockouts and black lists, workers were led to meet secretly and to organize a type of association so clothed in ritual, sign grips, and passwords that "no spy of the boss can find his way into the lodge room to betray his fellows." One of these organizations was the Noble Order of the Knights of Labor, which was established by some Philadelphia tailors in 1869. Soon the tailors were joined by shoemakers (mostly remnants of the St. Crispin lodges), carpenters, miners, railroadmen, and other organized and unorganized workers.

During the 1880's the Knights of Labor, having revoked its secrecy features, grew into a spectacular mass movement which included workers of all trades and degrees of skill. Discontented farmers, professional persons, and even some employers responded to its appeal for the amelioration of the hardships of the common man under the rallying cry, "An injury to one is the concern of all." The general and far-reaching aim of the Order was the substitution of a co-operative society for the existing wage system, which it hoped could be attained through education and legislation. More immediately, it sought improvement in wages and hours and the abolition of convict and child labor.

Structurally, the Knights of Labor was composed of local assemblies (organized along either craft or mixed lines), combined into district

assemblies² which had sole authority within their respective jurisdictions; at the head was the General Assembly, with "full and final jurisdiction." These mixed assemblies bargained with employers and conducted strikes, frequently calling out workers in various trades to aid strikers in a given trade or plant. Through these mixed assemblies, the superior bargaining power of the skilled workers could be utilized to help the unskilled workers.

The Knights of Labor reached its peak following the southwest railroad (Gould system) shopmen's strike in 1885, when for the first time officials of a large corporation met with and negotiated an agreement with the organization. This success brought enthusiastic response from workers throughout the country, and the Knights of Labor membership increased sevenfold within one year. By the autumn of 1886 the Order had over 700,000 members in more than 5,500 local assemblies—the equivalent of almost 10 per cent of the total industrial wage earners.³

Its day of power was brief. Railroad strikes in 1886 met with disastrous defeat, and the united opposition of employers caused the failure of numerous strikes for an 8-hour day which resulted in the disintegration of entire assemblies. Most important was the disaffection of most of the skilled workers, who were leaving the mixed assemblies in the Knights and forming trade unions. By 1900 the Order had practically ceased to exist as a national movement, although a number of local and district assemblies remained active for several decades.

The Knights of Labor was the first national labor organization in this country to be active for more than a year or two and its influence extended beyond its immediate membership and beyond the years of its active national existence. Its chief contribution was education. The workers learned the strength and weaknesses of the one-big-union type of organization, and the general public, as never

² Opposition by some of the trade groups to the mixed district assemblies forced the Knights of Labor to allow these groups to organize into district and national trade assemblies. Thus the telegraphers and the window glass and shoe workers finally obtained national craft autonomy, although the general officers of the Knights of Labor did everything they could to discourage trade autonomy.

³ Grand Master Workman Powderly said regarding this: "In 1885 we had about 80,000 members in good standing: in one year the number jumped to 700,000, of which at least 400,000 came in from curiosity and caused more damage than good." (Terence V. Powderly, *The Path I Trod*, Columbia University Press, New York, 1940.) The newspapers at that time, greatly alarmed over the popularity of the mass movement, quoted a membership of 2½ million.

before, was made conscious of the bitter discontent which existed among large sections of industrial wage earners.

THE AMERICAN FEDERATION OF LABOR

The conflict of interest between skilled craftsmen who worked with tools and the mass of semiskilled and unskilled wage earners led in 1881 to the formation of the Federation of Organized Trades and Labor Unions, which in 1886 became the American Federation of Labor. Samuel Gompers of the Cigarmakers' Union was elected the first president of the Federation and continued in that office, with the exception of one year, until his death in 1924. In contrast to the mixed assemblies of the Knights of Labor, complete autonomy was retained by each organized craft in the American Federation of Labor. Each national union (international if it included Canadian locals) had its own constitution, its own rules for internal government, and its own procedures for dealing with employers. In no case were outsiders—that is, persons not working at the trade but in sympathy with the union's aims—admitted to active membership.

General Policies of the A.F.L.

For fifty years the American Federation of Labor was not only the dominant but practically the sole spokesman of the organized workers in this country. During this half century, while sweeping and fundamental changes were taking place in the nation's economic and industrial life, it maintained a consistent course of action and almost never deviated from the general policies adopted during its formative period.

The Federation was established at a time when many persons, both wage earners and intellectuals, believed that the ultimate solution of labor's problems was the elimination of employer-employee classes altogether through the substitution of a new industrial order of either producers' co-operatives or state socialism.⁴ This could be achieved

⁴ Although Marxian socialism had a considerable following, there were many other proposed schemes whereby workers would share in the ownership, management, and profits of business. Similar philosophies were popular among workers in European countries. The French term for labor union, *syndicat*, implies direct action through general strikes and violence, if necessary, to establish control over the means and processes of production—a theory which the French labor movement later abandoned but resumed again during a period after World War II.

only through the solidarity of all workers, skilled and unskilled alike, who would not only engage in piecemeal efforts with individual employers, but also use their united economic and political strength to gain basic and general reforms throughout the industrial system.

The emergence of the A.F.L. represented a decisive defeat for the one-big-union idea by which the superior strength and strategic advantages of the skilled workers could be used economically and politically to benefit the entire working class. Not only was the Federation founded upon the principle of craft autonomy, but it early adopted the policy of concentrating its efforts on the economic front and relegating political action to a minor role. Instead of engaging in political campaigns to obtain laws for the general improvement of working conditions, the A.F.L. and its affiliated unions preferred to rely solely upon collective bargaining with employers. The only governmental assistance they sought was legal protection against actions of employers and public officials (such as court injunctions) which interfered with their freedom to exert the maximum economic pressure to gain better terms in their trade agreements.

The rise of a labor movement such as the American Federation of Labor resulted in the exclusion of an ever-increasing number of industrial workers from the benefits of unionization. Although the Federation from time to time made efforts to organize particular groups of factory workers, it received lukewarm support and sometimes opposition from its affiliated craft unions, which feared a dilution of their bargaining strength. The A.F.L. type of organization had its advantages, however, for it was no doubt its limited coverage of skilled crafts which enabled it to carry on during periods when other forms of organization were unable to survive.

In contrast to the experience of unions during previous depression periods, the unions affiliated with the American Federation of Labor made substantial gains during the prolonged depression of the 1890's. On the return of business prosperity at the beginning of the present century, there was a further expansion in union organization and in collective bargaining. In the foundry and machinery industries, industry-wide bargaining was established between the unions and the employers' associations. In 1902, with the assistance of a federal government commission, collective bargaining arrangements were begun in the anthracite areas.

Membership in the American Federation of Labor increased from

350,000 in 1899 to over 1,675,000 in 1904, and some two dozen new national unions were established. By 1904 there were no less than 90 stable national unions, most of which, except the railroad and postal unions, were affiliated with the American Federation of Labor. With the exception of the mine, brewery, garment, textile, and shoe workers, practically all of them were craft unions. In the local organizations of the garment, textile, and shoe unions, moreover, craft distinctions were usually followed.

Employer Opposition

While the skilled workers in industries characterized by hand tools and small employers were able to establish new unions, factory and mill workers were facing the powerful opposition of large corporations which were assuming an ever-increasing importance in American industry. The American Railway Union, founded by the idealist Eugene V. Debs, was virtually extinguished after the strike in 1894 in which it faced the combined opposition of the Pullman Company and the Railway Managers' Association.⁵

Two years previously the Amalgamated Iron and Steel Workers, the most powerful trade union in existence at the time, had suffered a disastrous defeat in its strike at Homestead, Pennsylvania, against the Carnegie Steel Company in protest against a wage reduction. Thereafter one large mill after another was put on a nonunion basis. After the formation of the United States Steel Corporation in 1901 and its adoption of a vigorous antiunion policy,⁶ the once strong Iron and Steel Workers' Union was practically eliminated from all the major steel concerns in the country.

The influence and prestige of one large corporation were instrumental in driving unionization from the steel industry; in industries made up of many independent companies the employers combined

⁵ The Pullman strike is significant in labor history because of the numerous injunctions issued by the federal courts upon the initiative of the Department of Justice, and because President Cleveland sent United States troops to Chicago in spite of the protest of the governor of the state.

⁶ A congressional investigating committee, ten years after the adoption of this policy, said: "The great bulk of American union laboring men in the iron and steel industry understood they were not wanted at the works of the U. S. Steel Corporation. The process of filling the places of these union laborers is interesting and important. . . . Southern Europe was appealed to. Hordes . . . poured into the United States. They . . . knew absolutely nothing about iron and steel manufacture but they were sufficient to fight the labor unions." (House of Representatives, 62nd Congress, 2nd Session, Report No. 1127, p.128.)

into trade associations to combat the unions. Such organizations as the National Founders' Association, the National Metal Trades' Association, and the Structural Erectors' Association not only refused to enter into agreements with unions but engaged in activities directed toward their complete destruction. Local employers' associations and "citizens' alliances" also came into existence, their chief function being to break up strikes and otherwise aid employers who were having labor difficulties. In 1902 there was organized the American Anti-Boycott Association, a secret body of manufacturers who sought to attack unions through the courts.⁷ About the same time the National Association of Manufacturers, originally organized for purely trade purposes, began to combat trade unions, chiefly through political and legislative means.

Paralleling these positive and belligerent campaigns against unions was the indirect effect of scientific management which was then being popularized by Frederick Taylor and his followers. Scientific management cut into union morale in two ways: The unions' opposition to its implied speed-up and the lessening of job opportunities through improved processes caused many employers to increase their determination to do away with the unions. Second, the wage incentive plans tended to discourage group loyalties and solidarity by encouraging individual workmen to seek better wages through their individual effort on the job, rather than through collective bargaining. The welfare programs which some employers were just beginning to adopt were a further means of winning employees away from "outside" unions.

LABOR DURING WORLD WAR I

The American Federation of Labor's prompt assurance of cooperation with the government upon its entry into World War I smoothed the way for the expansion in union organization which followed. In March, 1917, almost a month before the United States declared war, representatives of most of the unions met in Washington, where they voted unqualified support to the government and drew up a statement of labor's war policy. This statement expressed the demand

⁷ Among the many cases this Association took through the courts was the famous Danbury Hatters' case.

that the organized labor movement be recognized by the government as the representative of all wage earners, including those "who have not yet organized," and that organized labor be given representation in all agencies determining and administering policies of national defense.

Government Labor Policy

The principle of labor representation on government committees was accepted. Never clearly defined was the policy with respect to organized labor's status in private industry—even in those industries upon which the government was directly dependent for carrying on the war. The Council of National Defense accepted the principle adopted by its labor advisory committee,⁸ that "neither employers nor employees shall endeavor to take advantage of the country's necessities to change existing standards." The Secretary of Labor explained this as meaning that "where efforts to organize the workers are not interfered with and where a scale of wages is recognized that maintains the present standard of living . . . for the time being no stoppage of work should take place for the purpose of forcing recognition of the union." The National War Labor Board, which was established in the spring of 1918, adopted a more positive policy, namely, that "the right of workers to organize in trade unions and to bargain collectively, through chosen representatives, is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever."

Accompanying this positive declaration, however, was the statement that "the workers, in the exercise of their right to organize, shall not use coercive measures of any kind to induce persons to join their organizations, nor to induce employers to bargain or to deal therewith." Another statement specified that employers were not required to deal with union representatives who were not employees of the company unless this had been the practice previously. This latter provision opened the way for the rapid growth of employees' works councils, which became a formidable rival of trade unions. These works councils (later more generally called employee representation plans or company unions) multiplied rapidly, some being installed by employers to avoid

⁸ The Council of National Defense was established by the Army Appropriation Act of December, 1916. Early in 1917 an advisory committee on labor was established with Mr. Gompers as chairman; it consisted of over a hundred representatives of labor, capital, and members of organizations interested in social and industrial problems, as well as government officials and specialists.

dealing with trade unions, others being established by award of government boards as an expedient compromise with firms which would have no other form of collective dealing.

In spite of this encouragement of the works councils, distinct advantages to trade unions resulted from the adoption of the principle of collective bargaining by this first National War Labor Board. With jobs plentiful enough to remove the fear of discharge and with sufficient grounds for discontent to encourage workers to seek to better their wage⁹ and hours, the established unions were able to carry on successful organization drives. Except in the steel industry, the unions connected with most of the industries important to the war effort made significant gains. The building- and metal-trades unions expanded and, on the intervention of the government, recognition was obtained from the large meat packers. The seamen were successful in getting agreements everywhere except on the Great Lakes, and the bituminous coal miners were able to extend their central competitive agreement into other areas. The shipbuilding unions obtained recognition, and the railroad brotherhoods were equally successful during the period the government took over the operation of the railroads.

Industrial Workers of the World

While the American Federation of Labor and the railroad unions were making notable gains, the war witnessed the virtual disappearance of the rival labor movement which had been active during the decade preceding the war, the Industrial Workers of the World. This organization, formally launched in 1905, was a "one big union" made up of the Western Federation of Miners⁹ and the hitherto unorganized migratory workers of the wheat fields and lumber camps of the Northwest. It was a direct-action movement which was opposed to the signing of collective bargaining agreements with employers. Although its long-time program sought the substitution for the existing government of a workers' society in which the unions would own and operate all industry, its immediate efforts were directed toward improving conditions on the job.

⁹ A metal miners' union organized in 1893. Its many bitter strikes against strongly organized employers who frequently had the active support of the sheriffs and other local government officials had made many of its members anti-government. The more conservative faction gained control of the union in 1907 and the Western Federation of Miners withdrew from the Industrial Workers of the World.

At first largely confined to the unskilled workers of the West and Middle West, in 1912 the Industrial Workers of the World expanded into the East, especially among the foreign-born, low-wage textile workers. These campaigns, however, resulted in no lasting organizations although the lusty intervention of the I.W.W. was instrumental in gaining some victories in a number of widely publicized strikes such as those of the textile workers in Lawrence, Massachusetts, in 1912 and Paterson, New Jersey, in 1913, and the Louisiana lumberjacks the same year. In Chicago¹⁰ and further west the I.W.W. continued to expand until our entry into the First World War.

Many of the I.W.W. members, including most of the leaders, refused to register for the draft. As a consequence of its antiwar position, the members were suspected and accused of acts inimicable to the pursuit of the war program, although the organizers maintained that their numerous strikes were directed toward improving working conditions. Through action on the part of both the federal Department of Justice and local governments, most of its leaders were imprisoned¹¹ and

¹⁰ Chicago served not only as the editorial headquarters for the national organization but also as the local center for the midwest migratory workers. A former I.W.W. leader gives this description of the Chicago headquarters and its environs: "In the busy season the streets were swarming with migratory workers resting up between jobs or ready to ship out—loggers, 'gandy-dancers,' lake seamen, harvest hands. . . . In prosperous times as many as a million men a year were cleared for seasonal jobs in all industries and in all parts of the country. In hard times it took on the characteristics of a labor ghetto. . . . Our general headquarters dominated the 'skid road' The old hall on Madison Street was full to overflowing day and night. There were big blackboards on the walls on which jobs throughout the harvest fields were listed. . . . The windows were ablaze with red lettering and a big I.W.W. emblem. Every migratory worker on the 'skid road' wore a Wobbly button, and there were I.W.W. stickerettes on every lamppost. Open air meetings were blocking traffic. Halls weren't large enough to accommodate crowds that turned out for Wobbly meetings and entertainments. The revolution was on! . . . Now at last, we were in a position to start 'building the structure of the new society within the shell of the old!'" (Ralph Chaplin, *Wobbly*, Chicago University Press, 1948, pp. 86-87, 198-199.)

¹¹ In September, 1917, agents of the Department of Justice made simultaneous raids of offices of the I.W.W. throughout the country and entered many members' homes without warrants to seize records and literature. Hundreds of members were indicted for violation of the Federal Espionage Act and sentenced to Leavenworth for terms of from one to twenty years. In 1919 a number were temporarily released on bail, including Secretary-Treasurer William ("Big Bill") Haywood. Haywood jumped his bail and went to Moscow where he lived until his death in 1928. His friends maintained that Moscow promised him that they would send some of the confiscated Russian crown jewels to this country to pay his bondsmen but that Moscow failed to keep its promise. By 1924 the sentences of practically all the I.W.W. prisoners were commuted.

its headquarters were closed subsequent to our entry into the war. In the Northwest logging camps, where it had been most active, a representative of the War Department was successful in replacing the I.W.W. with an organization composed of both workers and employers—the Loyal Legion of Loggers and Lumbermen—which remained in existence for more than twenty years. However, in the lumber towns and elsewhere on the Pacific coast, the I.W.W. continued to be active throughout the war and took a prominent part in the numerous strikes following the armistice. During the tensions and hysteria of the post-war period, hundreds of its leaders were arrested under the criminal syndicalism laws. As a result of the legal suppression campaigns, as well as internal factional dissensions, the I.W.W. lost all vitality as a general movement. Many of its most militant leaders joined the newly formed American Communist Party.

STALEMATE OF THE TWENTIES

The close of the war in 1918 brought an end to active government participation in labor relations, as well as the unions' release from the wartime restraints. With the continued expansion in business and the rise in living costs following the signing of the Armistice, workers continued to join the unions in increasing numbers. In 1919 and 1920 more than one and a half million joined the various unions, bringing the total membership to over 5 million. This represented a peak not surpassed until 1937.

Postwar Adjustments

The unions' efforts to expand collective bargaining and raise wages led to many bitter disputes. The industrial unrest and the difficulties incident to getting industry back on a peacetime basis caused President Wilson in October, 1919, to call a conference of representatives of employers, labor, and the public to "discover such methods as had not already been tried out of bringing capital and labor into close co-operation." The conference immediately split on the question of collective bargaining and trade unions. Mr. Gompers submitted an eleven-point resolution, the first of which was the right of wage earners to organize into unions and to bargain collectively. The employer group adopted a resolution including "the right of employers to deal or not to

deal with men or groups of men who are not their employees," stating that the arbitrary use of collective bargaining "was a menace to the institution of free peoples." The representatives of the public endorsed the principle of collective bargaining but insisted that employee representation "plans" be included as proper collective bargaining agencies. Unable to arrive at any common agreement on the fundamental basis of all employer-employee relations, the conference broke up within a few days.

The Open-Shop Movement

Following this conference, employers throughout the country started a movement to destroy unionism. Manufacturers' associations, boards of trade, chambers of commerce, builders' associations, bankers' associations, so-called "citizens' associations," and even a farmers' organization—the National Grange—united in a program, which they called the "American Plan," to save workers from "the shackles of organization to their own detriment."¹² Open-shop organizations were established in practically every industrial center in the country. In addition to conducting "patronize the open-shop" campaigns, these organizations extended direct aid to employers such as maintaining black-lists of union members and furnishing money, spies, and strikebreakers to employers involved in strikes.

Union after union lost its war and postwar gains under the combined onslaught of the antiunion drives and the wage cuts introduced during the postwar depression of 1921-22. Early in 1921 the "Big Five" packing companies declared that they no longer would be bound by the union agreement and the labor administrator they had reluctantly accepted during the war, and the packing industry once again became open-shop. A few days prior to the expiration of the seamen's agreement in 1921, the United States Shipping Board and private ship-owners demanded the abolition of the three-watch system and the withdrawal of union preferential hiring. The two-month strike following this demand was lost; seamen returned to the 12-hour day, 84-hour week, and the once powerful seamen's union was soon reduced to less than one-fifth its former size.

Even the strongly organized building trades did not escape the antiunion drives. When the building-trades' unions in San Francisco

¹² From a statement of policy of the American Bankers' Association in the magazine *Industry*, January 1, 1921. *

rejected a wage reduction, employers conducted a general lockout until the workers returned under open-shop conditions. In Chicago, a citizens' committee organized by the Illinois Manufacturers' Association and the Chicago Chamber of Commerce was successful for several years in compelling unions and builders to maintain an open-shop and to accept the wage rates determined by an arbitrator.

Efforts to break up the unions failed in a few industries, notably in the book and job printing industry and in the New York men's and women's clothing industry, where the unions were forced to engage in prolonged strikes in order to maintain their collective bargaining relations.

In spite of occasional victories for the unions, the employers' open-shop drives, aided by the postwar depression, resulted in large losses to organized labor. Union membership dropped from a peak of over 5 million in 1920 to 3½ million in 1924 and, contrary to all similar experience in the past, continued to decline after the return of business prosperity.

Welfare Capitalism

The chief reason for the absence of trade union growth during the 1920's was the failure to organize the expanding mass-production industries. New machines and processes were substituting semiskilled machine tenders for skilled craftsmen working with tools. The bulk of the trade unions were composed of skilled craftsmen, and few of them made any serious attempts to broaden their field of interest to include the new type of factory worker. Whole industries, such as automobile and rubber, remained untouched; in others, such as steel, electrical products, furniture, and glass manufacture, only a fraction of certain groups of skilled workers belonged to any union.

Even if energetic organizing efforts had been undertaken, the response of many of these workers at that time might have been lukewarm, especially those in the newer expanding industries where relatively high wages were paid and where increasing production softened the incidence of technological displacements. The comparatively high wages received by these workers were not diluted by rising costs of living, for the prices which workers paid for what they bought remained stable through this period. If there had been a marked increase in the cost of living, no doubt many of the unorganized workers would have sought the assistance of already established unions

or formed new ones, just as they had in the past when prices were rising.

It was in these industries, characterized by large corporations, that management was most active in the adoption of programs which many employers felt made unions unnecessary. The twenties marked the peak of welfare activities, when employees' pension plans, group life insurance, and medical services were offered by employers as security against the unavoidable hazards of life, when professional personnel managers were engaged to handle the grievances and problems arising on the job, and when plant baseball teams, glee clubs, and dances provided recreation off the job. To create an attitude of partnership with management, employee stockownership was encouraged and sometimes required.¹³

As a further substitute for trade unions, a number of employers established works councils or employee representation plans. The number of workers covered by such plans increased from less than 700,000 in 1922 to over 1,500,000 in 1928.¹⁴ Many of these company unions were established after an unsuccessful strike by trade unions. Shop councils were established on the Pennsylvania and a number of other railroad systems following the shopmen's strike in 1922; the General Electric Industrial Representation Plan was established subsequent to numerous strikes of the metal workers' unions; and some of the larger New England textile mills adopted employee representation plans as an aftermath of strikes by the textile unions.

Union-Management Co-operation

In response to the challenge offered by personnel managers and by company unions, a number of the trade unions adopted programs of union-management co-operation. The first such plan on a broad basis was entered into by the Baltimore and Ohio Railroad and the Machinists' Union soon after the railroad shopmen's strike in 1922, and was later accepted by other shop crafts and several other railroad systems

¹³ The National Industrial Conference Board (*Employee-Stock Purchase Plans in 1928*) estimated that in 1928 over a million employees owned or had subscribed for over a billion dollars' worth of securities of the companies by which they were employed. In over 315 companies which reported having employee-stockownership plans, 30 per cent of the employees were stockholders. All the employees of the Firestone Tire and Rubber Company, and 70 per cent of those of the International Harvester Company, owned company stock.

¹⁴ National Industrial Conference Board, *Collective Bargaining Through Employee Representation*, New York, 1933.

not already entrenched in company unionism. The co-operative machinery provided for local, regional, and system joint committees of union representatives and supervisors, which not only handled employee grievances but discussed all questions and problems relating to the greater efficiency and improvement of railroad service. Similar arrangements were entered into by the Association of Street and Railway Employees and the Philadelphia Rapid Transit Company whereby, under the Mitten Plan, the union shared with management the responsibility for promoting efficiency and reducing operating costs.

The Amalgamated Clothing Workers' Union was an outstanding example of a union's willingness to share in management responsibility. Employers were persuaded to allow union experts to go into the shop in order to reorganize the flow of work, subdivide processes, establish production standards, and even substitute machines for hand labor. When such innovations resulted in reductions of the staff, dismissal wages were sometimes provided for the employees laid off; in other instances, such workers were transferred to other plants by the union's centralized hiring hall. In addition to these aids for improving the competitive position of individual firms, the union sometimes loaned money to enable employers to stay in business.

Another instance of union-management co-operation took place in the coal industry. As an aftermath of a bitter strike in the Colorado coal fields in 1927, the United Mine Workers accepted the offer of one of the companies, the Rocky Mountain Fuel and Iron Company which was friendly to union organization, to co-operate with management in order to obtain maximum efficiency so that the company might compete successfully with neighboring nonunion mines which paid lower wages. Later, co-operative relations progressed to such an extent that the union undertook sales promotion campaigns to bring more business to the company.

Union motives for entering into co-operative plans with management were twofold. They believed that efficiency provided the key to higher wages, and they also hoped that their endorsement of such programs would encourage nonunion employers to welcome unionization. During this period when the unions were unable to win new members through the customary organization drives, many of them adopted the "front-door" approach; that is, organizers went directly to employers and sought closed-shop contracts in return for promises of a more efficient and stable work force. Very few employers responded to this

approach, and where unions were accepted on this basis, they usually lost vitality as employee organizations and became, in essence, little more than company unions.

Left-Wing Movement

The close of the First World War and the return to "normalcy" ushered in a period of decline for the regular labor movement. A year before the signing of the armistice the Russian revolution had taken place which had immediate reverberations in this country. One was a solidifying of various left-wing groups—syndicalists, anarchists, radical socialists—with a focus toward Russia. The American Communist party was formally launched in 1920 and its members were ordered by the Communist International to join the unions of their craft and propagandize for the party and for revolution. This "boring from within" was done under the aegis of the Trade Union Educational League established by William Z. Foster, later president of the American Communist party, although he had disclaimed Communist affiliation when conducting the 1919 general steel strike.

The Trade Union Educational League was vigorously opposed by the American Federation of Labor and it never gained much headway. Unsuccessful with boring-from-within methods, the party in 1928 established the Trade Union Unity League which was frankly a dual labor movement. Capitalizing upon the discontent of many workers who were dissatisfied with the passive role of the American Federation of Labor and the restrictive membership of the craft unions, the T.U.U.L. met with some success in some industries. It organized a number of industrial unions, the most important being in the mining, textile, and needle industries.

The National Miners' Union was active during the coal strikes in 1931, especially in and around Harlan County, Kentucky. Most of these coal strikes ended in defeat, the few settlements which were made being negotiated with the older United Mine Workers. The National Textile Workers' Union conducted a number of organization strikes among southern textile workers, the best known of which occurred in Gastonia, North Carolina. The establishment of a Needle Trades' Workers Industrial Union marked the culmination of years of bitter strife in the Ladies' Garment Workers. Although the League was active for a few years in these areas, its total membership was probably never over a hundred thousand.

In 1934 the party decided it was better strategy to give up dualism and resume "boring from within." The League was dissolved as a separate organization and its members re-entered their respective unions. Before this took place, momentous changes were already underway within the main stream of the labor movement.

Chapter 2

THE LAST TWENTY YEARS

Union membership had declined to 3½ million by 1929 and was reduced another half million during the ensuing depression. From a low ebb of less than 3 million members in 1933, union organization has developed into a dynamic and expanding movement which now includes almost 16 million members. While a sympathetic government and favorable economic conditions provided the opportunity for this expansion, the workers themselves have been responsible for the actual growth in numbers and influence. Given a break by the law and public opinion, large masses of workers have shown a spontaneous desire for organized effort to improve their living conditions and vigorous labor leadership has come to the fore.

THRESHOLD OF THE NEW DEAL

The unfolding events of the New Deal period, and their impact upon the labor movement, can be appreciated only in the light of the milieu from which they developed. The situation confronting workers in their efforts to organize and to bargain collectively *before* the dramatic political and social upheaval during the 1930's has been summarized thus:

The workers were free to bargain collectively; their right to organize and bargain collectively was recognized and repeatedly affirmed by legislatures and by courts. Their right to strike was also recognized, though, as we have seen, it was by no means unqualified. But the rights of employers and non-union workers were also recognized and affirmed. Non-union workers had the right to get and hold jobs; employers had the right to use yellow-dog

contracts, to hire and fire for any or no reason, and to organize company unions. They also had the right of access to the commodity and labor markets, the right to operate their plants, and the general right to do business.

Now these rights of workers and employers were bound to come into conflict. And the courts who were supposed to enforce the rights of both groups very frequently had to decide which rights to enforce. On the whole, their decisions in such cases tended to favor the employers, largely because their rights were better understood by lawyers and judges, and were more susceptible of protection through court proceedings.

The right to bargain collectively certainly includes the right to join a union. Yet the protection of this right by forbidding discriminatory discharges and yellow-dog contracts was held to be an infringement of the employer's right to hire and fire. . . . While the courts enforced yellow-dog contracts which enabled employers to maintain *shops closed to union labor*, they often held illegal strikes to secure *shops closed to non-union labor*. Again, collective action by workers cannot be effective unless it extends beyond the confines of a local craft union. Yet the courts, ignoring economic realities, condemned many kinds of sympathetic action on the ground that these workers had no legitimate interest in the dispute.

Collective action by workers is more likely to interfere with the rights of the public than are the methods which employers use to combat it. Pickets must use the streets, agitation may lead to violence; but the firing of employees or the procuring of new ones is but an incident to the regular conduct of business. Hence the courts were more likely to interfere with the activities of workers.

Injunctions theoretically could be used to protect workers' rights as well as employers'. But the injunction can only be used to protect property rights from irreparable injury. For the most part, workers' rights were not recognized as property rights which could be protected in this way. . . . Thus in actual practice the law operated to protect those employers who strove to prevent organization among their workers, who refused to bargain collectively, or who were trying to break a strike. The workers had the right to bargain collectively, but in seeking to achieve this end they were allowed to use only those methods which did not interfere with the rights of employers and of non-union workers.¹

These concepts of "rights" and the court decisions which resulted from them did not go unchallenged. Large sections of the general public became more and more aware that the uneven hand of the law was suppressing many laudable purposes of organized workers and interfering with their basic right to improve their working conditions.

¹ J. R. Commons and J. B. Andrews, *Principles of Labor Legislation*, Harper & Brothers, New York, 1936, pp. 417-419.

Public recognition of the need for a counterpoise was evidenced by the passage of the Norris-LaGuardia Act in 1932, which placed strict limitations upon the injunctive powers of the federal courts and made yellow-dog contracts illegal.

LABOR GAINS UNDER THE NEW DEAL

Although the Norris-LaGuardia Act foreshadowed the, legislation which was to come, the New Deal's influence on the progress of union organization amounted to much more than placing additional and strengthened laws on the statute books. Experience with similar legislation at the hands of the courts in the past made for a good deal of skepticism regarding the outcome of the Norris-LaGuardia Act at the time it was enacted. It was not until after the Supreme Court, in 1937, had taken cognizance of the change in public opinion which had occurred under the New Deal that any kind of labor legislation was reasonably secure from judicial invalidation.² Just a year previously it had stated that "the relation of employer and employee is a local relation and consequently beyond the scope of Federal jurisdiction . . . the relation of employer and employee, at common law, is one of domestic relations . . . the powers which the general government may exercise are only those specifically enumerated in the Constitution, and such implied powers as are necessary and proper to carry into effect the enumerated powers. . . ."³

² Regardless of the merits of President Roosevelt's efforts to "pack the Supreme Court," there is no doubt that his threat to increase the personnel of the court caused a drastic change in the attitude of its members toward all types of labor legislation—wage and hour controls as well as protection for collective bargaining. During the turmoil over the court-packing threat, in the spring of 1937, the Supreme Court declared three basic types of labor legislation to be constitutional, namely, the National Labor Relations Act, the Social Security Act and the Washington state minimum wage law for women. The preceding year it had declared unconstitutional not only the labor provisions of the National Coal Conservation Act but also the New York state minimum wage law which was similar to the Washington law. Actually, the change in opinion of the court during these few months represented a change in attitude on the part of only one or two justices, most of the cases in both years being five-four decisions.

³ *Carter v. Carter Coal Co. et al.*, 298 U.S. 238 (1936). This decision invalidated the 1935 National Bituminous Coal Conservation Act and, in effect, held that Congress has no power to regulate wages, hours of labor, and working conditions in an industry not directly engaged in interstate commerce; it declared that "mining is not interstate commerce, but, like manufacturing, is a local business."

The National Industrial Recovery Act

The first legislation under the New Deal government which directly affected organized labor was the National Industrial Recovery Act, enacted in June, 1933. Its purpose was to restore employment and purchasing power. In addition to an extensive public works program, the Act provided that each industry establish codes of fair competition which were to include minimum working standards. Labor was given only an advisory status in the preparation of the codes, although in a few instances, such as clothing and mining, the union representatives were active in determining the labor terms and in seeing that they were enforced. A majority of the codes, however, were prepared with a minimum of worker participation.⁴

Of vital significance to organized labor was Section 7a of the Act, which required that each code contain the provision that "employees shall have the right to organize and to bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers . . . in the designation of such representatives. . . ." Labor boards were created to handle disputes arising over the interpretation of this section and to conduct elections to determine bargaining representation.

A wave of union activity followed in the wake of the passage of the National Industrial Recovery Act. Much of this was the result of the planned efforts of unions which sought to organize the open-shop areas in their industries. In many nonunion industries and regions, however, the urge to organize emanated from the workers themselves, with union organizers in many instances unable to keep up with the demands made upon them. The biggest gains were made by the mine workers' and the men's and women's clothing unions. For the Amalgamated Clothing Workers the increase represented the regaining of depression losses and some extension into previously unorganized areas. But both the Mine Workers and the Ladies' Garment Workers had suffered such severe losses during the twenties that the gains made under the National Industrial Recovery Act signified the virtual revival of these unions.

As a result of the twenty-two months' activity under the Act, membership in American Federation of Labor unions increased over 40

⁴ After a code was drawn up by the proper trade association, public hearings were held by the Code Administrator, at which any labor representative could appear. As a further protection, a Labor Advisory Board, appointed by the Secretary of Labor, was responsible for seeing that every labor group affected, organized or unorganized, was represented at such hearings.

per cent. In 1935, for the first time since 1922, their total paid-up membership exceeded 3 million. The Railroad Brotherhoods, benefiting from the 1934 amendment to the Railway Labor Act, also expanded. Organized labor as a whole not only recouped its depression losses and regained some of the following it had lost during the 1920's, but began to enter a few of the hitherto nonunion industries. Scattered local unions appeared among the mass-production industries and even among white-collar and agricultural workers.

Company Unions Under the N.I.R.A.

During this time of union revival and expansion, many employers were active in setting up their substitute for trade unions, namely, company unions. Although Section 7a was interpreted by labor to mean the legal right of being represented by unions which were coextensive with employers' trade associations, many employers insisted that dealing exclusively with their own employee representatives fulfilled the requirements of the law about bargaining collectively and that the workers' freedom "from interference, restraint, and coercion" did not preclude assistance from employers in establishing and maintaining company unions. Accordingly, employee representation plans which had been formed before the depression and had become moribund were revived, and new ones were established. Trade associations and employers' counselors not only prepared model plans for their clients, but maintained experts to assist companies in getting them started and keeping them active.

By the spring of 1934, probably one-fourth of all industrial workers were employed in plants which maintained company unions. Almost two-thirds of these unions were established while the National Industrial Recovery Act was in force—a majority of them after a strike had taken place or a trade union had made headway in the plant. Most of the larger steel, rubber, petroleum, and chemical companies had company unions, as well as many of the utility companies and manufacturing concerns of all kinds. A good deal of the time of the National Recovery Administration labor boards was devoted to the disputes arising from the conflicting claims of unions and employers over the interpretation of Section 7a with respect to company unions.

Growth of Unions Under the N.L.R.A.

The protections afforded labor under the National Industrial Recovery Act had become sufficiently acceptable to induce Congress, a

few months after the Supreme Court's invalidation⁵ of that Act in May, 1935, to enact a law exclusively dealing with labor's rights and privileges. The National Labor Relations Act guaranteed employees "the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection." But passage of a law does not always insure immediate observance, and for almost two years the operation of this Act was seriously impeded by the resistance of many employers who were firmly convinced that the Act would be invalidated in the courts. Much to their surprise, its constitutionality was affirmed by the Supreme Court in April, 1937, and a number of Supreme Court decisions thereafter clarified the coverage of the Act and strengthened the power of the board created to enforce it.

The National Labor Relations Act (Wagner Act) signified governmental assistance of the first magnitude to organized labor. National unions successfully entered the mass-production industries such as the steel, automobile, rubber, and electrical products industries. Workers in industrial centers in the Southern states, as well as in many of the smaller communities in the Northern states, were aroused to trade union consciousness for the first time. Union organization made some headway among agricultural hired laborers, sharecroppers, and canner workers. Coal miners were organized in sections where formerly employer hostility, aided by local government officials, had been an effective barrier against unionization. Interest in organization extended into certain groups of white-collar workers, such as newspaper reporters, as well as office workers and retail clerks in some cities. Unions expanded among federal government workers and were established for the first time for many state and local government employees.

These organization drives were accompanied by many strikes, some of which were called as a means of rallying workers to the unions, while others were resorted to when employers refused recognition after the union had obtained majority representation. Most of these strikes took the conventional form of a walkout with picketing, but a considerable number were sit-down strikes and these received a great deal

⁵ When the labor provisions of the N.I.R.A. are under consideration it must be remembered that the other clauses of the Act providing for codes of fair competition accorded certain rights of collective action to employers which were long forbidden under the antitrust laws. It was the price-fixing and similar features of the Act which were the points at issue in the Schechter case when the Supreme Court nullified the law.

of adverse public criticism. Within a very few years, however, organization strikes declined as unions were able to take advantage of the legal rights afforded by the Wagner Act to gain recognition through employee elections and certification by the National Labor Relations Board.

FORMATION OF THE C.I.O.

Concurrently with the passage and validation of the National Labor Relations Act, momentous changes had taken place within the labor movement itself. Since the beginning of the labor movement there have been differences of opinion as to whether unions should be organized along occupation or craft lines, or whether they should be coterminous with the industries concerned. The American Federation of Labor unions were predominantly craft organizations, although some were established on an industrial basis, and others gradually expanded their coverage to include most or all of the employees within a plant or industry regardless of occupation.

When the organization of the mass-production industries was undertaken during the National Recovery Administration, the issue of craft versus industrial unionism became acute. At the 1934 A.F.L. convention a resolution was adopted which recognized that there had been "a change in the nature of the work performed by millions of workers in industries which it has been most difficult or impossible to organize into craft unions." The same resolution stated, however: "We consider it our duty to formulate policies which will fully protect the jurisdictional rights of all trade unions organized upon craft lines." The controversy came to a head at the 1935 convention, when the industrial union resolution was defeated, and when jurisdiction coextensive with the industry was denied the rubber, automobile, radio, and other unions.

A month after this convention the presidents of eight A.F.L. unions, under the leadership and driving force of John L. Lewis,⁶ created a

⁶ John L. Lewis, president of the United Mine Workers, became the first president of the C.I.O. He resigned following the 1940 national elections after he failed to divert labor's support of President Roosevelt. A few years previously, Lewis had been a vigorous supporter of Roosevelt, and the United Mine Workers had contributed a half million dollars to the 1936 Roosevelt campaign. The subsequent estrangement has been attributed to the fact that Roosevelt refused "to come across" on all the demands Lewis made upon him, and which Lewis felt he was entitled to because of his campaign support. Lewis continued to oppose Roosevelt in 1944 as well as Truman in 1948, but a large majority of the mine workers nevertheless voted the Democratic ticket in both elections.

Committee for Industrial Organization "for the purpose of encouraging and promoting the organization of the unorganized workers in mass-production and other industries upon an industrial basis." During the ensuing months other A.F.L. unions joined the Committee, and membership was later augmented by new groups which had never before been organized, as well as unions not affiliated with the A.F.L.

The A.F.L. interpreted the formation of this Committee as "dual in character and as decidedly menacing to its success and welfare." Persons within and outside the labor movement, including the Secretary of Labor and President Roosevelt, attempted to heal the breach, but without success; and in May, 1938, the A.F.L. expelled the unions participating in the Committee. A few months later, the 32 national unions, together with the city and state bodies then forming the Committee, met in constitutional convention and established the Congress of Industrial Organizations.

The formation of the C.I.O. caused a spectacular growth in unionization of the mass-production industries. But the dynamics and influence of the new labor movement extended beyond its immediate membership. Many of the older craft unions, responding to the challenge of the newer unions, extended their jurisdictions to include semiskilled and unskilled workers and in many plants functioned as industrial unions. Likewise the boldness and vigor displayed by some of the new leaders in the C.I.O. have influenced other union leaders to strive for greater gains for their members.

At the time of the attack upon Pearl Harbor, unions affiliated with the C.I.O. had become well established in all the major steel, automobile, rubber, and other mass-production plants, and, as war production expanded, both A.F.L. and C.I.O. unions were able to obtain contractual relations in the new aircraft, shipbuilding, maritime, and other war plants.

WORLD WAR II AND ITS AFTERMATH

All branches of organized labor took an active part in many phases of the war production program. At the outset, President Roosevelt indicated that the safeguards afforded labor by the National Labor Relations Act, the Fair Labor Standards Act, and the Public Contracts Act were not to be sacrificed but rather to be utilized to strengthen

morale and improve productive efficiency. Representatives of organized labor served on both the War Production Board and the War Manpower Commission.

Maritime unions co-operated with the Maritime Commission and the Labor Department in working out plans for war risk insurance, as well as means for manning newly acquired merchant vessels. The building and metal trades and other unions assisted in supplying skilled workers as instructors in the newly established training centers. The Treasury Department sought the assistance of the unions in the sale of war bonds. Under the auspices of the War Production Board, labor-management committees were established in hundreds of plants for the purpose of "meeting such problems as the maximum war use of the equipment and manpower of every shop and factory, the spreading of war orders, the orderly transfer and retaining of workers for war jobs, the conversion of strategic war materials, as well as many other questions." A large majority were in unionized plants where union members served as the employee representatives on the joint committees. On the whole, cordial relations with organized labor were maintained by the War and Navy Departments, both of which employed labor relations experts at their Washington headquarters, as well as in the important production centers, to plan and direct labor policies and assist in settling differences between unions and military authorities. As a morale builder, union leaders were taken to training centers and foreign combat areas to see how guns and ammunition were being used and to gain first-hand knowledge of war production needs.

Direct participation in government administration was provided in the tripartite National War Labor Board which was established as a "supreme court for labor disputes." So long as this Board confined its activities to the original purpose, organized labor enthusiastically endorsed it as an example of voluntary co-operation by management, labor, and government. There was considerable dissatisfaction, however, after the Board was given responsibility for administering the wage stabilization program.

Postwar Strains

When the last bomb was dropped over Japan, the semblance of union-management co-operation which had been fostered during the war disappeared in large sections of our industry. Workers had be-

come more and more restive under the wage stabilization program, and when overtime and other war bonus payments ended they were determined to have their wage rates increased. Moreover, they insisted that employers, with their accumulated war profits and bright outlook for an era of high production, could afford pay increases without jeopardizing the price stabilization program. The employers, on the other hand, contended that this was impossible and gave as one reason the decline in worker efficiency which they stated had taken place during the war years when jobs were plentiful.

Underlying the wage disputes was the old, unresolved issue of what constitutes the necessary functions and prerogatives of management, and to what degree and along what lines workers shall participate in the making and administration of plant policies. Concretely, this is a question of the interpretation of collective bargaining, and many employers who asserted they were in favor of the principle of collective bargaining were nevertheless in wide disagreement with their unions over important matters pertaining to shop management.

With the hope that some workable solution of these major issues could be found, President Truman called a Labor-Management Conference on Industrial Relations in November, 1945. After several weeks' discussion, the conference adjourned with no agreement between management and labor on the issue, as stated in the agenda, of "management's right to manage." This conference was a disappointment in so far as it was unable to achieve any meeting of minds on the major specific problems facing industry and labor. In contrast to the similar conference after the First World War, however, there was no disagreement over the principle or right of collective bargaining *per se*, and some constructive recommendations were made for the improvement of collective bargaining contracts and the settlement of plant grievances.

The 1947 Labor-Management Relations Act

The discontent of workers was expressed in the numerous and prolonged strikes which took place during the winter and spring of 1945-1946. The strikes resulted in a general lifting of wage levels, but this was a Pyrrhic victory because price controls were simultaneously relaxed and the cost of living advanced. Organized labor suffered a serious setback after the 1946 elections when conservative Republicans gained control of Congress. The Eightieth Congress enacted practically none of the legislation which the unions sponsored as a means of

smoothing the transition from a war to a peacetime economy and improving the general condition of all workers. Proposed bills to control prices, guarantee full employment, raise the minimum legal wage level, liberalize and extend the coverage of social security and unemployment benefits, provide health insurance and housing programs, were either rejected entirely or amended to such a degree that they had little resemblance to the original measures which organized labor had sponsored.

Much more disconcerting to organized labor than Congressional inaction on proposed legislation to bring new benefits, was its enactment of a new labor relations law which completely altered the philosophy of the 1935 Wagner Act and nullified portions of the 1932 Anti-injunction Law. The Wagner Act dealt solely with the establishment of the collective bargaining *process*, and its regulations were concerned only with removing those employer practices which impeded the ability of workers to engage in collective bargaining, that is, their combining in the collective mechanism of labor unions. The 1947 Taft-Hartley Act extended government regulation beyond the establishment of conditions *for* collective bargaining into the substantive terms in the collective bargaining contract and the regulation of the internal operation of unions. By offering legal encouragement to employees to refrain from collective bargaining, it implicitly repudiated the basic principle of the Wagner Act that collective bargaining is sound social policy and therefore should be encouraged.

The majority in Congress maintained that the 1947 Taft-Hartley Act, enacted over President Truman's veto, was for the purpose of restoring the equality of bargaining rights between employers and employees, thus rectifying the one-sided protections given unions by the previous legislation. Organized labor declared it was a vindictive attack on unions, dubbed it a "slave labor act," and immediately started a campaign for its repeal.

LABOR AND POLITICS

The passage of the Taft-Hartley Act had much more far-reaching and lasting consequences than any change in management-labor relations resulting from any of its specific provisions, because it was this piece of legislation, more than anything else, which caused all branches of the labor movement to reconsider their former policies with respect

to political activity and to adopt long-range programs of concrete, vigorous action.

From the date of its formation, the American Federation of Labor has followed a nonpartisan political policy of supporting its friends and opposing its enemies regardless of their party affiliations. This nonpartisanship is based on the belief that (1) partisan politics might create dissension among its members and turn their attention away from trade union matters; (2) neutrality is more effective for obtaining political concessions, since no slate of candidates is automatically assured of labor's endorsement and competing candidates must bid for union members' support; (3) labor should not run the risk of identifying itself with any particular party because it would lose all its political influence whenever that party is defeated.⁷

The C.I.O. from its inception adopted a policy of vigorous activity in political affairs and has not been entirely adverse to the idea of launching a new labor party. In 1936 various C.I.O. unions, joined by several A.F.L. unions, established a Labor's Non-Partisan League which campaigned for the re-election of the New Deal administration. Subsequently, New York unions took an active part in the American Labor party, although most of them withdrew in the spring of 1944 after the Communists had gained control. The impetus for direct political action on a national scale was strengthened during 1943, when widespread expressions in the daily press, state legislatures, and Congress aroused fears that the New Deal labor gains were in jeopardy. To assure the continuation of the New Deal program, the C.I.O. established a Political Action Committee which carried on an educational program that is generally believed to have had a major influence in the 1944 election of Roosevelt for his fourth term.

At its 1947 convention, the American Federation of Labor took an

⁷ While nonpartisanship has been the guiding rule of the A.F.L., upon a few occasions it has endorsed particular presidential candidates, and a number of its affiliated organizations from time to time have actively sponsored political parties and occasionally have gone so far as to advocate a separate labor party. Samuel Gompers, first and long-time president of the A.F.L., actively participated in the Democratic party campaign in 1908 after he was repulsed by the Republicans in his efforts to obtain relief from the courts' use of the Sherman Anti-Trust Act and injunctions in labor disputes. He continued to support the Democratic party, although less actively, until 1924 when, in protest against the conservative platform and candidate this party had chosen, he persuaded the A.F.L. Executive Council to endorse a new third party—the Progressive party, which also received the official support of the railroad brotherhoods in that election. Prior to this, in 1919-22, a number of A.F.L. state federations in the Middle West had identified themselves with the Farmer-Labor party, which was successful in a number of state and local elections.

unprecedented step and established Labor's League for Political Education in order, as its founders stated, "to serve most effectively the interests of the workers of the nation and adequately to meet the challenge presented by predatory and vested interests" and to gain "the restoration of the rights of labor as heretofore enjoyed and the realization of a more sound and equitable labor relations policy . . . and a more wholesome life and fairer and more equitable distribution of the fruits of industry . . . under a system of free enterprise, free trade unions and free workers." Railway Labor's Political League was also organized and, with the already functioning C.I.O. Political Action Committee, the entire labor movement was galvanized into action.

Spurred by labor and liberal forces within the party, the 1948 Democratic national convention adopted a platform which unequivocally committed the party to a continuation of the New Deal philosophy. This clear-cut break with its conservative wing enabled organized labor, as never before, to look to the Democratic party as its political means for action, although neither the A.F.L. nor the C.I.O. formally identified itself with that party. In spite of labor's unprecedented activity during the election campaigns of 1948 and 1950, labor was unable to get a sufficient number of "friendly" congressmen elected to carry out the "Fair Deal" which President Truman personally espoused. Ignoring the platform pledges of their party's conventions, enough Democratic Congressmen voted with the conservative Republicans to cause the defeat of most of the legislation sponsored by labor.

The consequent reactions were twofold: a determination to continue its vigorous political action campaigns, and a renewed conviction that it was not practical for organized labor to align itself completely with one political party; that labor's campaign procedures must continue on its traditional policy of endorsement of individual candidates, regardless of party, on a "reward your friends and punish your enemies" basis.

Handicaps to Effective Political Action

Union members and their families comprise at least a third of the electorate of the country, and a substantial number of nonunion workers undoubtedly agree with union members on many political and legislative issues. However, organized labor has seldom been able to "deliver the vote" which its numerical strength would seem to make possible. The reasons for this are varied. Some are due to the political behavior patterns of the members themselves, but others are

the results of conditions beyond the immediate control of union members.

An obvious reason is the lack of political solidarity among the membership, as well as the union leaders. Traditionally in this country, workers have not been inclined to vote according to their economic interests alone. Inherited political party loyalties frequently take precedence over other considerations on election day. Appeals based on cultural or national origins tend to dilute the voting strength of a group whose composition is as diverse as is that of organized labor in this country. More important than confusions of loyalty is the failure or inability of many union members to vote at all. This is attributable, in part, to the mobility of the working population. In their quest for new or better jobs, large numbers of workers change their places of residence each year. Legal residence requirements, the feeling of not belonging in the new community, ignorance of local political issues and candidates,⁸ all cause millions of workers to remain away from the polls at every election.

Even if workers cast ballots in proportionately equal numbers to the population at large, industrial wage earners would be politically disadvantaged because of our prevailing electoral systems which favor rural, nonindustrial areas, with the result that legislation sponsored by labor is frequently defeated by legislators who have little need to concern themselves about labor's reaction.

The Taft-Hartley Act has also presented serious difficulties in the administering and financing of political activities. The Act makes it unlawful for any labor organization to make a contribution or expenditure in connection with any primaries or elections for national offices. The union structure, as such, cannot be used for political action, and union members cannot decide by majority vote to use their dues or special assessments for financing their activities in national political campaigns.⁹ As a consequence, unions must rely upon voluntary con-

⁸ As an example: The population on the Pacific Coast increased more than 50 per cent between 1940 and 1948, but there were very few more votes cast in the 1948 presidential elections than in 1940.

⁹ Organized labor considers this provision in the Taft-Hartley Act to be discriminatory since no other membership organizations are so restricted, such as the National Association of Manufacturers or the American Medical Association. The president of the American Medical Association reported that his organization spent \$1,110,000 during the two weeks before the 1950 elections to defeat candidates who favored government health insurance. This money came from a fund, amounting to an annual total of \$3,600,000, which was obtained from a compulsory levy of \$25 upon each of its members. (*New York Times*, November 26, 1950.)

tributions from their members. However, between elections union funds can be used for political educational purposes, such as informing members on legislative issues and the voting records of Congressmen, and regularly published union journals may include political items.

Alternatives to Political Action

In spite of its accelerated political activities, organized labor in this country, in contrast to many European countries, continues to place chief reliance upon its economic rather than its political strength. If the politicians fail the workers, they turn to their employers. This was dramatically demonstrated during the fall of 1949 when Congress adjourned without enacting more adequate social security legislation. Immediately, pensions and welfare plans became a rallying cry for the unions throughout the mass-production industries. In some, notably in the steel industry, there was a long strike over this issue, but in the end the unions won their point. The struggle was crucial and the results had far-reaching effects upon all workers and the general public. It raised the sights of what should be considered adequate old-age benefits by establishing \$100 and \$125 monthly pensions as a standard. More than this, it decisively turned the tide against public assistance based on need, which had been gaining some support in Congress and elsewhere, as an alternative measure to the extension of pensions and insurance programs. This was accomplished through economic pressure of organized workers who had tried and failed to get action from several successive Congresses. It was a vanguard movement by a few strong unions, and it served to stimulate Congressional action to provide governmental programs which will benefit workers generally, the unorganized as well as the organized.

DIVISION AND UNITY

Fifteen years after the great revival of unionism in the mid-1930's the labor movement finds itself divided into several camps. The American Federation of Labor, with its more than 8 million members, has demonstrated a capacity for continued vitality and growth which many persons at the time of the schism in the 1930's had predicted was impossible. The Congress of Industrial Organizations, with its 5 million members, is firmly established in the great mass-production industries and wields an influence extending far beyond its membership.

In addition, there are the independent unions, such as the large United Mine Workers and a number of smaller unions, which for various reasons have severed connections with the federation groups, and the railroad brotherhoods which have never chosen to affiliate with any other group.

All these segments of organized labor are in active competition with each other and the resulting rivalry for workers' loyalty and job control has upon occasion caused confusion and dissipation of energy. But the competition has also galvanized all groups into more strenuous activity so that the net effect up to the present time has probably been more beneficial than harmful to the expansion of unionization.

The formation of the C.I.O. represented a protest movement against the traditional opportunism and craft-centered interests of the A.F.L. The C.I.O. leaders, most of whom were considerably younger in age than the A.F.L. officers, were imbued with a reformist zeal and a desire to extend the influence of organized labor beyond the confines of job improvement. But the C.I.O. founders were from the ranks of labor, and the new organization was founded upon the principle that it should be a *labor* rather than a social or political reform movement. The C.I.O. was never like the Knights of Labor and other "one big union" movements of an earlier date, which after a few years collapsed because of their heterogeneous membership and confused programs.

Aggressively active in rallying the masses of unskilled and semi-skilled workers, the C.I.O. did not neglect the skilled workers. Based on the concept of industrial unionism, it soon found that there was no one formula for labor organization and it now includes all types of unions—craft, industrial, and mixtures of both. In self-protection, the A.F.L. began to pay more than lip service to the needs of the great mass of workers, and many of its affiliates, which hitherto had closed their doors to all but skilled workers, actively sought recruits from all classes of labor. In structure and program there was little difference between the A.F.L. and the C.I.O. within a few years after the split. The issue which had led to the break had become almost wholly academic—with one exception.

C.I.O. and the Communists

That exception was the numerically small but pervading influence of the Communists in the C.I.O. When the American Communist party, presumably under instructions from Moscow, abandoned its unsuccessful-

ful dual unionism (Trade Union Unity League), it found a haven for its "boring-from-within" tactics in the newly established, militant C.I.O. The new movement, in need of vigorous leaders, was happy to benefit from the organizing skill and indefatigable zeal of its Communist members, and assumed that political differences could be ignored. The Communists were in the vanguard of many of the early organizing drives and, benefiting from the atmosphere of goodwill toward our Russian ally during the war, they obtained positions of leadership in a number of the C.I.O. unions and in the high councils of the C.I.O. itself. Vociferously proclaiming the need for labor unity, they were able to form a tightly knit and closely disciplined core within the C.I.O. which never became assimilated into its trade union program.

Although the majority non-Communist element in the C.I.O. recognized the Communists' presence as a constant threat to democratic unionism, they were tolerated as long as the "party line" did not conflict with fundamental C.I.O. policy. The inevitable and final showdown came over some concrete and specific issues—issues which were reflections of the same differences which have divided the entire world into two hostile camps.

The first concrete issue which brought the long-smoldering friction within the C.I.O. into the open was the question of endorsement of the Marshall Plan to aid the recovery of war-stricken Europe. The bitter debate which took place when the C.I.O. 1947 convention endorsed the government program clearly revealed which C.I.O. officers were following the "party line" in support of the Soviet opposition to the Marshall Plan and the Atlantic Pact. Factional strife became more acute when these same leaders a few months later joined forces with the Progressive party—a third party movement which the C.I.O. president openly accused of being Communist inspired for the purpose of splitting labor's vote in order to obtain a reactionary government, which according to Communist thinking would ultimately lead to a swing to the Communist left.

The crucial issue which caused the final showdown between the Communist and anti-Communist factions in the C.I.O. was the question of affiliation with the World Federation of Trade Unions. During the few months of optimistic hope for a united world which prevailed in 1945, the labor movements from the various countries decided to form a new World Federation of Trade Unions. The American Federation of Labor bitterly opposed this move and never

joined the W.F.T.U. on the ground that there could be no working relationship between "free unions"¹⁰ and Russian unions which were controlled by their government. The C.I.O., on the other hand, became an enthusiastic member.¹¹

It soon became apparent that the new world organization was being dominated by its Soviet members, and in 1949, the C.I.O., as well as the British and other national federations, formally severed connections with the World Federation of Trade Unions. The Communist-dominated unions within the C.I.O. refused to abide by this action and insisted upon their right to continue association with the W.F.T.U. and its subsidiary organizations. Decisive action was taken at the 1949 C.I.O. convention following President Murray's charges that the Communist clique, although it spoke for less than 10 per cent of the organization's membership, had nevertheless created a "dangerous division . . . whose leaders' policies, statements and actions demonstrate their contempt and their hostility toward our general policies." The convention amended the C.I.O. constitution giving the executive board power to expel any union for pro-Communist actions, and during ensuing months the charters of eleven unions were revoked.¹²

Recent Action

Structurally, the severance of the Communist element from the C.I.O. signified further fragmentation of the labor movement in this country. Actually, it opened the way for greater cohesion and unified action by the branches of the labor movement which represent the overwhelming majority of American workers. Recently, there have been renewed efforts by both the A.F.L. and the C.I.O. to work out

¹⁰ The A.F.L. defines free trade unions thus: "Free trade unions are independent organizations controlling their own terms and conditions of membership, deciding their own rules and discipline of membership, able to make a contract with assurance of fulfillment. Free trade unions are not state controlled nor are they auxiliaries of the state dominant party, or any employer or employers' organizations. Free trade unions are not subject to any political party nor do they serve as party tools. Power of deciding policies and the course of the organization is lodged with the union membership." (*AFL Weekly News Service*, December 5, 1944.)

¹¹ See chapter 11 for an account of the formation of the World Federation of Trade Unions and the reasons for C.I.O. participation.

¹² See Directory of Labor Unions in Appendix. In some instances, notably in the electrical industry, the C.I.O. immediately established a new union which was able to win over many of the locals of the expelled union. Elsewhere, many locals of expelled unions voted to transfer to other C.I.O. unions.

a plan for organic unity, but the complex personality and trade jurisdictional problems involved make it extremely difficult to effect structural unity. Meanwhile, however, a large degree of functional unity has been achieved, especially in the realm of international, political, and legislative action.

This was demonstrated during the early months of the defense mobilization after the outbreak of Korean hostilities, when wage and manpower issues brought the A.F.L. and C.I.O. closer together than at any time since their historic split. Soon after the outbreak of hostilities the A.F.L., the C.I.O. and the Railway Labor Executives Association established a United Labor Policy Committee "to develop a common approach to the problems arising out of the mobilization and stabilization program." However, in marked contrast to the situation during World War II when labor from the start had been treated as an equal partner, labor found itself assuming a subordinate role in the new mobilization program. In the words of the United Labor Policy Committee, the defense agencies were "staffed at its top level exclusively with men from the executive offices of business" who had no intention or desire "to give labor a real voice in the formulation of defense policy."¹³

Frustrated in its "advisory" role and angry over a wage freeze order in the face of rapidly soaring prices, all segments of labor undertook a united front campaign to obtain "effective" representation on all levels of policy-making and administration. The immediate and most controversial issue had to do with the Wage Stabilization Board and methods for settling disputes in defense industries. Organized labor wanted a resumption of practices followed during World War II when the Board not only interpreted wage orders in particular situations but also had authority to settle nonwage issues. Employers, on the other hand, insisted that the Board's powers should be strictly limited to wage matters and that all labor disputes should be handled in accordance with the emergency disputes provisions of the Taft-Hartley Act; that is, injunctions against strike action.

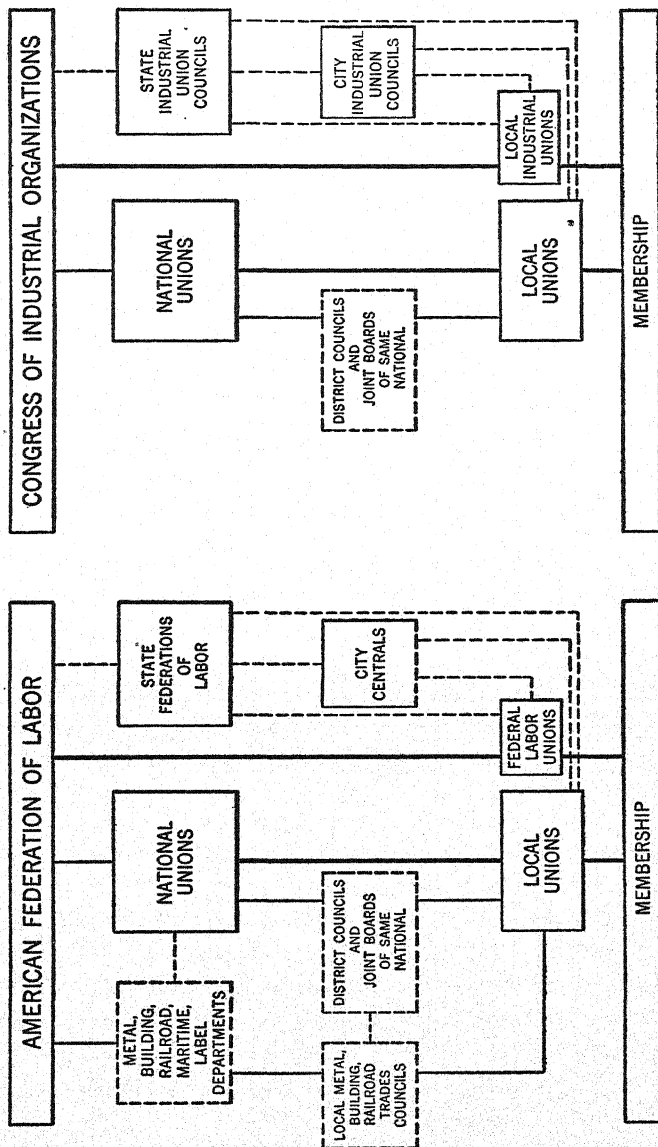
The showdown came in February, 1951, when the United Labor Policy Committee unanimously decided to withdraw all its representatives from the defense agencies. Two months later the Committee was able to announce that "a significant change of attitude has taken

¹³ From text of Labor Committee's Statement on Quitting Defense Agencies, February 28, 1951.

place in Washington" and it thereupon ended its "boycott." A labor representative was appointed as Assistant to the Director of Mobilization and the Wage Stabilization Board was reorganized and given the functions asked by labor.

Labor's withdrawal and return to the defense mobilization program as a united body was a dramatic demonstration of its desire and ability to work in unison when faced with a major challenge. As the tension from external threats relaxed, however, the problem of internal and permanent unity again came to the fore. To the A.F.L. the prime necessity is merger, which essentially means the dissolution of the C.I.O. Concluding that the cooperation attained through the United Labor Policy Committee was encouraging the C.I.O. to delay action toward achieving "organic" unity, the A.F.L. withdrew its representatives from the Committee. This break-up marked the close of a significant experiment in united action at the national level. But cooperation between most of the state and local A.F.L. and C.I.O. organizations continues, especially with respect to legislative and political matters.

STRUCTURE OF AMERICAN LABOR ORGANIZATIONS



PART TWO

Structure and Internal Government

Chapter 3

FEDERATED ORGANIZATIONS

“Organized labor” refers to those workers who have combined into organizational units of one kind or another for the purpose of improving their economic status. The “labor movement” connotes the unified purpose, activities, and aspirations of such workers. Neither term relates specifically to the structural arrangement by which workers group themselves, although structural arrangements are basic elements of any general movement. Personalities and external circumstances may be controlling forces in the development of any movement, but its character and effectiveness are influenced strongly by its internal mechanism and rules of operation.

Organized labor is a composite of different types and hierarchies of organizations with varying kinds of relationships and lines of control. At the base are the local unions to which every member belongs and to which he pays his dues. These local unions have lateral and vertical affiliations, the most important of which are the National unions.¹ The National unions, in turn, may be federated with other national and international organizations.

¹ Labor organizations in this country are commonly called “International” unions because most of them have members in Canada as well as in the United States. Because the use of the term “international” when referring to American

Most labor unions at the present time are affiliated with either the American Federation of Labor or the Congress of Industrial Organizations although there are important exceptions. A number of railroad unions, for instance, have never belonged to these federated groups; most of them are represented in the Railway Labor Executives' Association. Several other National unions have at various times belonged to either the A.F.L. or the C.I.O. but for some specific reasons have withdrawn or been expelled.

The major functions of the federated organizations, both the American Federation of Labor and the Congress of Industrial Organizations, are to promote the interests of workers and unions before the legislative, judicial, and administrative branches of government; to expand union organization, both directly and by assisting their member National unions; to provide research, legal, and other technical assistance to their member unions; to publish periodical journals and other literature dealing with economic problems and general matters of interest to labor; to represent and promote the cause of labor before the general public; to determine the jurisdictional boundaries of their affiliated unions and to protect them from dual unionism; to serve as spokesman for their unions on international affairs, especially international labor movements.

AMERICAN FEDERATION OF LABOR

The American Federation of Labor was organized in 1881 by a group of trade unions for the purpose of mutual aid and protection.² As its name implies, it is an organization of unions of workers which serves as their spokesman and through which the unions act on matters which concern more than one trade or group of workers. Historically and structurally, the Federation is an agent of its constituent organizations, having only such powers, and engaging in only those activities, which have been assigned it by its affiliated unions. It has no direct authority over the internal affairs or the activities of any of its member

unions causes confusion with labor organizations of broader international character (see Part 5), the term "National" is used throughout this volume when referring to any of the unions in this country, even though many of them have locals in Canada.

² Originally organized under the name of "Federation of Organized Trades and Labor Unions" and adopted its present name in 1886.

unions so long as they do not impinge upon the jurisdiction of another affiliated union. While it exerts a great deal of influence over its members, its only actual power is the power of expulsion from membership in the Federation.

A National union becomes a part of the American Federation of Labor in one of two ways: (1) An already organized independent union may apply for a charter of affiliation. If it does not trespass on the jurisdiction of already affiliated unions, and if its general characteristics are not in violation of the basic principles of the A.F.L., the charter is usually granted. (2) The American Federation of Labor may itself create a National union by combining an appropriate group of its directly affiliated federal labor unions, or local trade unions, into an autonomous unit and granting it a National charter.

In 1951 the American Federation of Labor was composed of 108 National unions; 50 state federations, including Alaska and Puerto Rico; more than 800 city and county central bodies; and over 1,200 directly affiliated locals.

Government of the American Federation of Labor

The annual convention is the supreme lawmaking body of the Federation. Decisions and instructions of the conventions are carried out by the Executive Council which meets about four times a year. The responsible administrative agents are the President and Secretary-Treasurer who devote full time to the Federation's work.

The annual conventions of the Federation begin the third Monday in September in the city selected by the preceding convention. It generally lasts about two weeks and is attended by delegates representing all the affiliated bodies. Each department, city central, state federation and directly affiliated local union is entitled to one delegate and one vote. Each National has one delegate for less than 4,000 members, two delegates for 4,000 or more, three for 8,000 or more, four for 16,000 or more, five for 32,000 or more, and so on. In a roll call vote, held upon demand of one-tenth of the delegates, each National delegate casts one vote for every 100 members or major fraction thereof which he represents. The membership is based on the average number of persons during the year for whom the union has paid per capita taxes to the Federation.

The Executive Council is composed of the President, Secretary-Treasurer, and thirteen Vice-Presidents elected annually by the con-

vention. By custom, the Vice-Presidents are selected from among the officers, usually the Presidents, of the Nationals, who continue to hold their offices with their respective unions. While the President and Secretary-Treasurer must be members of some affiliated union, after election they devote their full time to Federation matters.

The American Federation of Labor exercises more conclusive controls over its state federations, city centrals, and directly affiliated locals, than over its National unions. The President, subject to appeal to the Executive Council and thereafter to the next convention, is empowered to discipline, suspend or expel any state federation, city central or directly affiliated local, and their officers and members, for disobeying the constitution and rules of the Federation, or "for any other reason or cause deemed imperative by the President or the Executive Council." For such infractions, the Executive Council is further authorized to take over all properties of these organizations; in other words dissolve them altogether.

Disciplinary action against National unions is limited to expulsion from the A.F.L.; the Federation has no power to dissolve or take over the property of any National union. The Executive Council may not revoke a National union charter until ordered by a two-thirds majority vote of the convention except where two or more unions conspire to create a dual or rival organization in which case the Executive Council may suspend these unions, with final expulsion subject to convention action. In order to protect the jurisdictional rights of its affiliated National unions, no new charters may be granted if the jurisdiction is claimed by existing Nationals without their consent, and no affiliated National may change its name or its jurisdiction without the approval of the convention.

Duties of the Executive Council

The duties of the Executive Council of the A.F.L. are both promotional and administrative. The Council carries out the decisions of the convention and submits a report to each convention on the activities of the Federation and recommendations for further action. During the interim between conventions the Council may take any action which "may become necessary to safeguard and promote the best interests of the Federation and of its affiliated unions." It is the duty of the Executive Council to watch legislative measures affecting the interests of workers and to initiate, whenever necessary, such legislative action

as the convention may direct. In its office at Washington the Federation maintains a staff of economic and legal advisers and assistants who prepare data to be used at Congressional hearings and work in close co-operation with the various governmental agencies concerned with labor matters.

The Executive Council is also responsible for conducting organizing campaigns in unorganized trades and industries not included within the jurisdiction of any of its affiliated Nationals. When a sufficient number of new members in any locality have been enlisted they are organized into federal labor unions or local trade unions which are directly subordinate to the A.F.L.; they have the same relation to the A.F.L. as other locals have to their Nationals. This is intended to be only a temporary arrangement, however, until they are either transferred to an already established National union having appropriate jurisdiction or, if none exists, a new National union is established to include those federal labor unions whose members are employed within the particular trade or industry.

American Federation of Labor Finances

Most of the revenue for the support of the A.F.L. is derived from per capita taxes upon members and, when necessary, from special assessments. The tax upon the paid-up membership of each affiliated National union is 4 cents per member per month. From its directly affiliated locals the A.F.L. receives 38 cents per member per month plus 25 per cent of their initiation fees. Each state federation and city central pays \$10 per year to the A.F.L. treasury. The Executive Council may declare a levy of 1 cent per member per week on all affiliated unions for a period not exceeding twenty-six weeks in any year when "the interests of the American Federation of Labor require and when funds available from per capita taxes are insufficient to meet the needs."

Current receipts and expenses of the American Federation of Labor amount to about \$4 million a year. The largest item of expenditure (in 1950 about \$1,875,000) is for organizational activities. Office employees and administrative salaries amount to about one-half million dollars a year. Most of the balance is used for printing and publishing, convention costs, payments to international organizations to which the A.F.L. is affiliated, office supplies, and insurance and bond premiums. In 1951 the A.F.L. distributed approximately

\$200,000 in strike benefits to members of its directly affiliated locals.

DEPARTMENTS OF THE AMERICAN FEDERATION OF LABOR

The 1907 convention of the American Federation of Labor declared that "For the greater development of the labor movement, departments subordinate to the American Federation of Labor are to be established from time to time . . . each department is to manage and finance its own affairs . . . but no department shall enact laws, rules or regulations in conflict with the laws and procedure of the American Federation of Labor." During the two years subsequent to this declaration, four departments were established: the Building and Construction Trades Department, the Metal Trades Department, the Railway Employees' Department, and the Union Label Trades Department. In 1946 a Maritime Trades Department was established.

Many of the National unions of the A.F.L. are outside the jurisdiction of any of these departments while some are affiliated with several departments. The A.F.L. Constitution provides: "When an organization has interests in Departments other than the one of its principal affiliation, in which it shall pay per capita tax upon its entire membership, it is to be represented in and pay per capita tax to the other Departments upon the number of members whose occupations come under such other Departments, but in no instance less than 20 per cent of the membership upon which it pays per capita tax to the American Federation of Labor." The tax now paid by the National unions for the support of each Department with which it is affiliated is about 12 cents per member per year.

Building and Construction Trades Department

A major function of the Building and Construction Trades Department is to extend union organization among building trades workers and to settle jurisdictional disputes between member unions. If disputes cannot be settled within the Department, they are referred to the Executive Council and then to the convention of the A.F.L. for final determination. (If the jurisdictional dispute is with a union outside the A.F.L. there is, of course, no intra-union machinery for adjustment.)

Another important activity of the Building and Construction Trades Department is to deal with federal agencies having to do with public construction and to promote the general interests of building trades workers before Congress. Thus, the officers of the Department took an active part in the passage of the Public Contracts Act of 1936 and were signatories to the Building Trades Stabilization Agreement during World War II.

The Department holds its annual convention in the same city and during the week preceding the annual convention of the A.F.L. The number of delegates from each affiliated National is determined by the number of members for whom the union pays per capita taxes to the Department. The full-time President and Secretary-Treasurer are elected triennially and maintain offices in Washington, D.C. Eight Vice-Presidents elected annually, together with the President, compose the Executive Council. Amendments to the constitution are made by a majority vote during the annual conventions.

National unions³ affiliated with the Building and Construction Trades Department in 1951 were:

Asbestos Workers, Int'l Ass'n of Heat & Frost Insulators & Boilermakers, Iron Ship Builders & Helpers of America, Int'l Bro. of Bricklayers, Masons & Plasterers Int'l Union of America Bridge, Structural & Ornamental Iron Workers, Int'l Ass'n of Carpenters & Joiners of America, United Bro. of Electrical Workers, Int'l Bro. of Elevator Constructors, Int'l Union of Engineers, Int'l Union of Operating Granite Cutters' Int'l Ass'n of America, The Hod Carriers', Building & Common Laborers' Union of America, Int'l Lathers, Int'l Union of Wood, Wire & Metal Marble, Slate & Stone Polishers, Rubbers & Sawyers, Tile & Marble Setters Helpers & Terrazzo Helpers, Int'l Ass'n of Painters, Decorators & Paperhangers of America, Bro. of Plasterers' & Cement Masons' Int'l Ass'n of the U.S. & Canada, Operative Plumbing & Pipe Fitting Industry of the U. S. & Canada, United Ass'n of Journeymen & Apprentices of the

³ In order to designate their full jurisdictions, many unions have adopted very long titles. Throughout this volume, abbreviated titles are used or, in the case of formal listings, that portion is given first which is commonly used when referring to the union.

Roofers, Damp & Waterproof Workers' Ass'n, United Slate, Tile & Composition

Sheet Metal Workers' Int'l Ass'n

Stone Cutters' Ass'n of North America, Journeymen

Teamsters, Chauffeurs, Warehousemen & Helpers of America, Int'l Bro. of

Metal Trades Department

The Metal Trades Department devotes most of its efforts to promoting union organization and assisting local and district councils in collective bargaining. In the negotiating of agreements with large corporations, particularly with shipbuilding concerns, the Metal Trades Department takes an active part and is frequently a signatory to the agreement along with the local or district trades council. The Department has direct representation on the Navy Wage Board of Review which fixes wages for the various occupations in the navy yards. It also represents the interests of its members before other legislative and executive government agencies; for example, it is active in promoting merchant and naval shipbuilding and co-operates closely with federal and state apprenticeship programs.

The Metal Trades Department usually holds its annual meeting in the same city during the week preceding the A.F.L. convention. Each delegate from constituent National unions is entitled to one vote for each 100 members for whom per capita taxes have been paid, and each local, state, and district metal trades council has a delegate with one vote. The Executive Council is composed of a President, Secretary-Treasurer and six Vice-Presidents, elected annually. The President and Secretary-Treasurer are full-time officers who maintain headquarters in Washington, D.C.

At the present time the Department has about 100 chartered local and district councils and thirteen affiliated Nationals as follows:

Architects & Draftsmen's Unions, Int'l Federation of Technical Engineers
Boilermakers, Iron Ship Builders & Helpers of America, Int'l Bro. of
Bridge, Structural & Ornamental Iron Workers, Int'l Ass'n of
Electrical Workers, Int'l Bro. of
Engineers, Int'l Union of Operating
Firemen and Oilers, Int'l Bro. of
Hod Carriers', Building & Common Laborers' Union of America, Int'l
Metal Polishers, Buffers, Platers & Helpers Int'l Union
Molders & Foundry Workers Union of North America, Int'l

Pattern Makers' League of North America
Plumbing & Pipe Fitting Industry of the U. S. & Canada, United Ass'n of
Journeyman & Apprentices of the
Sheet Metal Workers' Int'l Ass'n
Stove Mounters Int'l Union of North America

Railway Employees' Department

The Railway Employees' Department represents the members of the American Federation of Labor craft unions who work in railroad shops. (Most of these unions also have members in other industries and are therefore affiliated with the Building and Construction and/or Metal Trades Department.) The Railway Employees' Department organizes what is known as "system federations" which are composed of all its members in the various craft unions working for the same carrier or railroad company. Each craft union on a system elects a general chairman, and these several chairmen constitute the Executive Board of the system federation which carries on the collective bargaining with the railroad company.

The Department maintains general supervision over the activities of the system federations. Sanction must be obtained from the Department on all proposed agreements with employers as well as contemplated strike action, and all matters of general or common concern to all the railroad shopmen must be cleared through the Department. Jurisdictional disputes between the crafts as well as concerted demands for wage increases are referred to the Department for action. Any grievance which cannot be settled by the system federation or the National union involved is referred to the Department, which decides whether or not it should go to the Railway Adjustment Board (see chapter 9). Only the Department may invoke the services of the National Mediation Board or enter into any arbitration of disputes between system federations and railroad companies. In addition to the activities concerning matters pertaining to its members, the Department co-operates with the independent railroad unions on matters of common interest to all railroad workers, such as general wage increases, federal and state legislation, and issues before the Interstate Commerce Commission which affect railroad employment.

The Railway Employees' Department holds quadrennial conventions to which each system federation and each of the National unions send delegates. Roll call votes and voting for officers, however, are on

a union basis; that is, each of the National union's vote is determined by the majority vote of the delegates within each union. The Executive Council consists of the presidents of the affiliated Nationals, the full-time President and Secretary-Treasurer maintaining offices in Chicago. At present the Department has about 135 system federations and 6 affiliated Nationals:

Boilermakers, Iron Ship Builders & Helpers of America, Int'l Bro. of
Electrical Workers, Int'l Bro. of
Firemen and Oilers, Int'l Bro. of
Machinists, Int'l Ass'n of
Railway Carmen of America, Bro.
Sheet Metal Workers' Int'l Ass'n

Maritime Trades Department

Recognizing the growth of the various maritime unions and the importance of their acting as a co-ordinated group for the common good of all, the American Federation of Labor established the Maritime Trades Department in 1946. Thus far it has not developed to the same extent as have the longer established Departments. Present affiliated Nationals are:

Firemen and Oilers, Int'l Bro. of
Longshoremen's Association, Int'l
Master, Mates & Pilots of America, National Organization
Seafarers' International Union of North America
Telegraphers Union, Commercial

Union Label Trades Department

The Union Label Trades Department is composed of all the affiliated A.F.L. unions which use labels, cards, buttons, or other insignia to designate the products or services performed by their members. The purpose of the union label is to promote union organization and union standards of workmanship by appealing to the consumer. The label is especially designed to channel the purchasing power of union members, who make up a large portion of the consuming public, toward buying union-made goods and services. The Department conducts advertising campaigns, issues union label directories, and in union conventions and literature urges members and their families to purchase union goods.

The Department has no authority to require union members to pur-

chase label products; neither does it control the issuance of the labels. Each union concerned establishes its own standards and requirements governing the use of its labels by employers, and controls their issuance and withdrawal. The Department is an educational and publicity medium for promoting a demand for union label goods and services. In addition to its Directory which lists all affiliated unions together with facsimiles of their insignia, it conducts an annual Union Industries Show where manufacturers display products made by A.F.L. members. In order to enlist the support of potential women purchasers, the Department has formed the American Federation of Women's Auxiliaries of Labor composed of wives, mothers, sisters, and daughters of A.F.L. trade unionists. Approximately sixty National unions are represented in the Department which has chartered about three-hundred and fifty city leagues and local women's auxiliaries.

CONGRESS OF INDUSTRIAL ORGANIZATIONS

The Congress of Industrial Organizations is an outgrowth of a division within the American Federation of Labor over the issue of craft versus industrial unionism. In 1935 eight A.F.L. unions created the Committee for Industrial Organizations and membership was later augmented by several other A.F.L. unions and factions of unions, as well as newly organized unions. In 1938 these organizations met in constitutional convention and established the Congress of Industrial Organizations. The objects of the C.I.O., as stated in its constitution, are "First, To bring about the effective organization of the working men and women of America regardless of race, creed, color or nationality, and to unite them for common action into labor unions for their mutual aid and protection; Second, to extend the benefits of collective bargaining and to secure for the workers means to establish peaceful relations with their employers, by forming labor unions capable of dealing with modern aggregates of industry and finance; Third, To maintain determined adherence to obligations and responsibilities under collective bargaining and wage agreements; Fourth, To secure legislation safeguarding the economic security and social welfare of the workers of America, to protect and extend our democratic institutions and civil rights and liberties, and thus to perpetuate the cherished traditions of our democracy."

Structure of the C.I.O.

Structurally, the Congress of Industrial Organizations is not unlike the American Federation of Labor with the exception that the C.I.O. at present has no departments similar to those of the A.F.L., and that its Executive Board includes "a duly qualified officer" from each of its affiliated Nationals. This broad inclusion on the Executive Board is to avoid control by a few large unions—a situation which the founders of the C.I.O. believed to be the case within the A.F.L. and the primary cause of their difficulties at the time of their expulsion.

Since most of the constituent unions of the C.I.O. are industrial in character, it has not found it necessary to establish departments similar to those in the A.F.L. through which the various craft unions seek to settle their jurisdictional disputes and consolidate for collective bargaining purposes. The C.I.O. has what it calls departments but they represent specialized fields of activities, such as the organization department which conducts membership drives, a legal department, a research and education department, a department of press and public relations, and a department for international affairs.

In theory, the C.I.O. National unions have the same autonomy as the A.F.L. unions. Actually, the C.I.O. exercises much more "persuasive" powers over its affiliates than does the A.F.L. The reasons are historical as well as practical. Unlike most of the A.F.L. national organizations which were well established, autonomous unions upon their affiliation, most of the C.I.O. Nationals were creations of the parent body and during their formative periods derived much of their financial and moral support from the C.I.O.⁴ The psychological dependency resulting from these economic ties was enhanced by the practical necessity for strong, centralized leadership in its early struggles for survival against the opposition of the A.F.L., and in its later struggles with its Communist elements from within.

Internal Government

The annual convention is the supreme authority of the C.I.O., being held during the last quarter of the year at a time and place designated by the Executive Board. Each directly affiliated local (called "local

⁴ The United Mine Workers, whose president John L. Lewis was the dominant force in the formation of the C.I.O., contributed several millions of dollars to the early organizing drives of the C.I.O. and for several years assumed most of the costs of the central office.

industrial union") and each city, county, district and state industrial council is entitled to one delegate. Each National having up to 5,000 members is entitled to two delegates; over 5,000 members to three delegates; over 10,000 to four; over 25,000 to five; over 50,000 to six; over 75,000 to seven; over 100,000 members to eight delegates for the first 100,000 and one additional delegate for each additional 50,000 members or majority fraction thereof.

Membership is based on the average number of persons for whom the union has paid per capita dues to the C.I.O. the fiscal year preceding the opening of the convention. In a roll call vote, held upon demand of 30 per cent or more of the total votes, each National union is entitled to one vote for each member, and each city and state industrial council has one vote. Roll call decisions are by majority vote except in the case of suspension or expulsion of affiliates when a two-thirds vote of the convention is necessary.

The officers of the C.I.O., consisting of a President, nine Vice-Presidents, and a Secretary-Treasurer, are elected by majority vote at each regular convention. It is the duty of the Executive Board to enforce the Constitution and resolutions of the convention, and to direct the affairs of the Organization between conventions and to make a report to the conventions of its activities and recommendations.

Between board sessions, held at least twice a year but subject to call by the President or a majority vote of the Board, the President has full power to direct the affairs of the C.I.O. The Executive Board issues certificates of affiliation to National unions, city and state councils, and the directly affiliated locals. When a sufficient number of the latter are organized in a particular industry, it is the duty of the Board to combine them into a National union or, as a first step, into an Organizing Committee until such time as they are able to finance and administer themselves.

In its office at Washington, D.C., the C.I.O. maintains a staff of economic and legal advisers to assist its affiliated bodies and to work in close co-operation with the various governmental agencies concerning labor matters. The Organization issues weekly and monthly publications as well as pamphlets dealing with labor problems. It employs numerous organizers to assist its member unions, as well as to conduct organizing campaigns in plants and industries not included with the jurisdiction of any of its affiliated Nationals.

The revenue of the C.I.O. is derived from a per capita tax of 8 cents

per month from each member of its National unions, \$1 per member per month from each of its directly affiliated locals plus one-half of their initiation fees, \$25 annual fees from each local and state council, and \$25 upon the issuance of a certificate of affiliation.

In 1951 the C.I.O. was composed of 33 National unions, 41 state industrial councils, 236 city, county, and district industrial councils, and several hundred directly affiliated local industrial unions.

RAILROAD UNIONS

Labor organization in the railroad industry is predominantly along craft or occupational lines. While many of the unions are confined solely to railroad employees, a substantial number of railroad workers belong to unions which cover workers of similar crafts in other industries. Many dining car employees, for example, belong to the Hotel and Restaurant Employees' International Alliance; railroad shopmen are members of the several A.F.L. unions to which workers of those particular crafts in other industries also belong. Recognizing the special problems and needs of their railroad members, the A.F.L. established its Railway Department, described above, which serves as a unified agency for all crafts of railroad shopmen.

About half the unions covering railroad workers are affiliated with the A.F.L., including some unions which are confined solely to railroad workers as well as those covering workers of the same craft in other industries. The four train and engine service unions, commonly referred to as the "Brotherhoods" have always remained outside the A.F.L. Although they maintain harmonious relations with both the A.F.L. and the C.I.O., they have been reluctant to accept close ties of affiliation to any organization representing members from other industries. In their relations both with their employers and with the government, they have considered it to their advantage to remain free to pursue those measures which are of peculiar benefit to themselves.⁵

⁵ In the field of legislation, railroad unions were successful in getting a law to protect them in collective bargaining nine years before the National Labor Relations Act was passed in 1935. The Railroad Retirement and Unemployment Insurance laws provide more generous benefits than does the Social Security Act.

The four operating Brotherhoods are: Brotherhood of Railroad Trainmen, Brotherhood of Locomotive Engineers, Order of Railway Conductors of America, and the Brotherhood of Locomotive Firemen and Enginemen.

Railway Labor Executives Association

Railroad unions, both those affiliated with the A.F.L. and the C.I.O. and the independents, frequently unite for common action on particular measures, such as for general wage increases or for some legislation. A more continuing organization for united action is the Railway Labor Executives Association which was formed soon after the passage of the Railway Labor Act in 1926 for the purpose of "cooperative action and to obtain and develop constant interpretations and utilization of all the privileges of the Act." As its name indicates, it is an association composed of the chief executives or presidents of the member unions. It is not a federation like the A.F.L. or the C.I.O., but it functions as a co-ordinating and policy directing body in legislative and other fields of mutual concern to railroad employees. Its entire program is based upon voluntary action and no member union is bound by any action of the Association which may be inconsistent with its policies or desires. The Association's constitution provides for majority vote, but unanimous agreement is usually reached before any action is taken with respect to important questions concerning all members. Unlike the A.F.L. or the C.I.O., the Association does not intervene in the jurisdictional disputes between its member organizations.

At present, twenty-one unions are represented in the Association. These include all the A.F.L. railroad unions, the independent Locomotive Firemen and Enginemen, the Railway Conductors, and the Train Dispatchers, together with three maritime unions, namely, the A.F.L. Longshoremen's Association and the Masters, Mates and Pilots, and the C.I.O. Marine Engineers' Beneficial Association. Two of the operating unions, the Brotherhood of Railroad Trainmen and the Brotherhood of Locomotive Engineers, do not at present belong to the Railway Labor Executives Association.

CITY AND STATE CENTRAL BODIES

As indicated in the next chapter, the National unions and their subordinate organizations—locals, joint boards, and district councils—are primarily concerned with protecting and improving the working conditions of members within their *particular* trades or industries. To take care of the many matters of common interest to workers in all trades, and to provide a means for unified effort for the general improvement of conditions of labor, unions representing *different* trades and industries affiliate for concerted action.

The American Federation of Labor and the Congress of Industrial Organizations represent such affiliations at the top level. Locally, there are city and county central organizations of A.F.L. local unions, and city and county industrial councils to which C.I.O. locals belong. On the state level are the A.F.L. state federations and the C.I.O. state industrial councils.

These city and state organizations are delegate bodies. The city organizations are composed of representatives from all the member local unions, while the state organizations include delegates from the city organizations as well as all the affiliated local unions within the state. Membership in the city and state organizations is optional with a few unions but most Nationals require their locals to belong. However, no local which does not belong to a National affiliated with the A.F.L. or the C.I.O., as the case may be, may belong to their respective city and state organizations. If a local resigns or is expelled from its National, it automatically loses its membership in the city and state organization. Likewise, if a National union resigns or is expelled from its affiliate organization—that is the A.F.L. or the C.I.O.—none of its locals are entitled to belong to its city and state central bodies. The city and state organizations pay taxes directly to the A.F.L. or C.I.O., as the case may be, and send delegates to their annual conventions.

The A.F.L. state federations and the C.I.O. state industrial councils are concerned chiefly with legislative and educational matters; they are not permitted to issue certificates of affiliation. They hold annual conventions where programs of general interest to all the workers in the state are formulated, initiate legislation, and appear before state legislatures, and in various ways promote organized labor's interests before the public.

The American Federation of Labor city centrals go by various names such as Trades and Labor Assembly, Trades and Labor Council, Central Labor Council, Central Labor Union. The city bodies of the Congress of Industrial Organizations are officially called "City Industrial Union Councils." In contrast to the state organizations, these city bodies deal more on the economic front, serving as clearing-houses for their locals and assisting them in dealing with employers. However, they are not permitted to order strikes or boycotts, or to negotiate agreements, until authorized by the Nationals of their respective locals. During recent years the city central organizations of both the A.F.L. and the C.I.O. have become increasingly concerned with general community activities. In most cities they take an active

part in the Community Chests and other educational and recreational programs which directly and indirectly bring services to their members.

Table I. Union Membership in the U.S., 1900-1951^a

Year	Membership	Year	Membership	Year	Membership
1900	868,500	1917	3,061,400	1934	3,608,600
1901	1,124,700	1918	3,467,300	1935	3,890,000
1902	1,375,900	1919	4,125,200	1936	4,700,000
1903	1,913,900	1920	5,047,800	1937	7,400,000
1904	2,072,700	1921	4,781,300	1938	8,000,000
1905	2,022,300	1922	4,027,400	1939	8,200,000
1906	1,907,300	1923	3,622,000	1940	8,500,000
1907	2,080,400	1924	3,536,100	1941	10,500,000
1908	2,130,600	1925	3,519,400	1942	12,000,000
1909	2,005,600	1926	3,502,400	1943	13,500,000
1910	2,140,500	1927	3,546,500	1944	13,750,000
1911	2,343,400	1928	3,479,800	1945	13,600,000
1912	2,452,400	1929	3,442,600	1946	13,800,000
1913	2,716,300	1930	3,392,800	1947	14,400,000
1914	2,687,100	1931	3,358,100	1948	14,600,000
1915	2,582,600	1932	3,144,300	1949	14,700,000
1916	2,772,700	1933	2,973,000	1950	15,000,000
				1951	15,300,000

^a Early figures by Leo Wolman, in Bulletin No. 68, National Bureau of Economic Research, New York, 1937; membership since 1936 are estimates by the present author. Accurate membership figures are not available for a number of unions, and there is considerable variation in the estimates of total membership issued at various sources. Unlike the above, which represent average annual membership, some estimates are for membership at the beginning or at the end of the calendar year—the difference in the resulting figure may be considerable in years of rapid increase or decrease in employment or during years of active union organization drives. Also, some estimates include the half million or more Canadian members of unions having headquarters in the United States. These are not included in the above table.

Chapter 4

NATIONAL AND LOCAL UNIONS

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The National unions are the autonomous, self-governing units of the labor movement. Even though a National union is affiliated with a larger body such as the American Federation of Labor or the Congress of Industrial Organizations, it retains its independence as a self-governing organization so far as its internal affairs are concerned. Even with respect to outside activities, an affiliated union exercises wide latitude. It may, for instance, on its own initiative sponsor political programs and legislative measures so long as such endorsements do not violate the fundamental principles and policies of the general labor movement with which it is affiliated.

The one major restriction placed upon affiliated unions is that they shall confine themselves to the trade jurisdiction assigned them by their federated bodies; a counterpart of this cardinal rule is that they shall not participate in dual unionism. However, while refusal to abide by the jurisdictional rulings of the federated body means expulsion, it does not mean disintegration of the union itself. If the jurisdiction it seeks does not impinge upon that of the unions already members of another affiliated group, it may transfer to this group (for example, from the A.F.L. to the C.I.O., or vice versa); or it may carry on as an independent organization expanding its jurisdiction at will.

NATIONAL UNIONS

There are at present about 200 labor organizations whose jurisdictions are broad enough to justify their being called National unions;

108 are affiliated with the A.F.L. and 33 with the C.I.O. Several of the nonaffiliated or "independent" unions have at one time belonged to either the A.F.L. or the C.I.O. but for various reasons have withdrawn or been suspended. The United Mine Workers, for instance, has at various times belonged to both the A.F.L. and the C.I.O. but is now independent. Most of the present nonaffiliated organizations, including the four operating railroad brotherhoods and a number of organizations of government workers, have always had an independent status.

The National's Relation to Its Locals

Historically, National unions are amalgamations of local independent organizations. With the establishment of the National, however, the local units surrender their autonomy and much of their independence. Although the degree of centralized control varies considerably among the Nationals, all locals are necessarily subordinate to their national organizations. They must abide by their National's constitution, which specifies the general rules by which the locals are to operate, and they must accept all the regulations adopted by their National's conventions.

The relationship between the Nationals and their locals is somewhat different from that of the A.F.L. or the C.I.O. and their affiliated Nationals. While neither the A.F.L. nor the C.I.O. attempts to regulate the internal affairs of its Nationals, the latter exercise direct control over many major activities of their locals. A National's constitution, for example, not only defines the conditions under which a local may be chartered, but it may specify the amount of dues and initiation fees its locals may charge, the requirements for acceptance of members, the procedures for dealing with employers, and even work rules which the local members must observe.

Although the constitutions of the A.F.L. and C.I.O. specify the amount of per capita taxes which their Nationals must pay to them, neither organization has the power to examine the membership records of its affiliates to see that they have paid in full; the Nationals, on the other hand, have authority to examine the books of their locals at any time and in most cases the locals are required to submit audited reports at regular intervals. Some Nationals maintain individual membership files in which are recorded the monthly dues and other data on their members sent in by the local treasurers.

The chief functions of the National are to extend union organization throughout the trade or industry over which it has jurisdiction in order that uniform working standards may be obtained, to advise and assist its locals in negotiating agreements with employers and to see that such agreements are adhered to, and to participate in the program of the federated organization (A.F.L. or C.I.O.) to which it is affiliated. Many of the Nationals maintain staffs of economic and legal advisers to assist their locals as well as the National officers; practically all publish weekly or monthly periodicals for distribution to their members.

The methods by which the National accomplishes its purposes vary according to the rules and traditions of the union, its leadership, the condition of the industry, as well as the general economic situation at any particular time. Under some circumstances, for example, the National may deal directly with an employer or an employers' association, although usually the local or local joint board is the active party in negotiating agreements. Some National constitutions require locals to obtain permission from their National officers before a strike may be called; others merely lay down rules such as requiring a majority vote of the members affected before calling a strike. However, if the local expects financial aid from its National in the form of strike benefits, the approval of the National officers is always necessary.

Size and Jurisdiction of Nationals

National unions vary in size from fewer than 100 members to over a million. The Siderographers, with a paid-up membership of 55, is the smallest existing National union. The A.F.L. Teamsters and the C.I.O. Automobile Workers, each with over a million members, are the largest American labor unions at the present time. About one-half of the Nationals have between 10,000 and 100,000 members and about 17 per cent have over 100,000 members.

Differences in size may be due to any one or several of the following reasons: the jurisdictional character of the union; the extent to which the union has been able to organize the trade or industry in which it has jurisdiction; the number of workers employed in the trade or industry. In general, unions covering entire industries, or several categories or trades, tend to be larger than those confined to single crafts. Practically all the nineteen unions which now have fewer than a thousand members are confined to particular skilled trades, some of them in trades now becoming obsolete.

Table II. National Unions Classified by Size^a

Membership	A.F.L.	C.I.O.	Ind. ^b	Total	
				Number	Per Cent
Under 1,000	10	..	9	19	9.6
1,000 under 10,000	19	4	29	52	26.2
10,000 under 25,000	17	3	5	25	12.6
25,000 under 50,000	18	8	7	33	16.7
50,000 under 100,000	21	11	3	35	17.7
100,000 under 200,000	13	1	1	15	7.6
200,000 under 300,000	3	2	2	7	3.6
300,000 under 400,000	1	2	..	3	1.5
400,000 under 500,000	3	3	1.5
500,000 and over	3	2	1	6	3.0
Total	108	33	57	198	100.0

^a According to 1951 membership. Based on data in Appendix.

^b Does not include any organization whose membership is confined to the employees of a single plant or locality.

The six unions with over a half million members include employees in all or most of the occupations within an entire industry or even several industries. The second largest, the C.I.O. Automobile, Aircraft and Agricultural Implement Workers, as its name implies, covers three expanding industries. The C.I.O. United Steelworkers' jurisdiction covers workers in both steel and aluminum production and fabrication plants. The independent United Mine Workers includes not only bituminous and anthracite miners but workers engaged in coal processing, chemical, and other industries. While the A.F.L. Brotherhood of Carpenters, the Association of Machinists, and the Brotherhood of Teamsters, originally were confined largely to particular groups of workers, they now accept persons employed in all or most of the occupations in related industries and plants.

Nationals whose jurisdictions cover related but somewhat distinct sections of the industry may be organized into departments or branches which retain a large measure of autonomy. The branches or departments usually have their own constitutions and executive officers and may hold separate conventions, although they are also represented at the conventions of the National of which they are a part. In some cases this branch form of organization represents an amalgamation of formerly separate unions as, for example, the Associated Actors and

Artistes of America;¹ the men's hat and millinery departments of the United Hatters, Cap and Millinery Workers; the Inland Boatmen's Union and the Sailors' Union of the Pacific which are units of the Seafarers' International Union. Some branches are the result of a union's extension into related industries as, for example, District 50 of the United Mine Workers, which includes members in a variety of industries and trades outside of coal mining.²

In contrast to such consolidations as are represented by departments or branches within a National is the situation in some industries where there are several unions, each of which covers a distinct branch of the industry. (This should not be confused with rival union situations or unions established along craft or occupational lines.) In the glass industry, for example, there are different unions in the glassware, glass container and flat glass sections of the industry. In the maritime industry the dock workers belong to different unions from the seamen. Most of the workers in the wallpaper manufacturing trades belong to different unions from workers in other paper products plants.

CRAFT VERSUS INDUSTRIAL UNIONS

The kind and variety of occupations included within a union's jurisdiction has far-reaching effects on employer-union bargaining relations, on interunion relations, as well as upon the size and character of the union itself. What the jurisdiction of a union is at any given time is determined by the union, subject to the approval of its affiliated body. In so far as it does not trespass upon the claimed jurisdiction of any other union affiliated with the same general organization (that is, the A.F.L. or the C.I.O., whichever the case may be), a union may

¹ The Associated Actors and Artistes of America is in reality a federation of eleven groups organized along industry, craft, and nationality lines. Its affiliated organizations are: Actors' Equity Ass'n, Brother Artists Ass'n, Chorus Equity Ass'n, Hebrew Actors Union, Hebrew Chorus Union, Italian Actors Union, American Guild of Musical Artists, American Federation of Radio Artists, Screen Actors Guild, American Guild of Variety Artists, Screen Extras Guild.

² District 50 originally covered workers in coal-processing plants and coke ovens, but in 1942 the United Mine Workers' constitution was changed to include "such other industries as may be designated and approved by the Executive Board." Coal mining has always been organized on a geographical district basis. When the union began organizing the coal-processing workers they termed the unit a "district" although it has no territorial significance.

expand its coverage at will. Likewise, it may choose not to include certain occupations or groups of workers. In the case of an unaffiliated or independent union, the only limitation on its jurisdiction is its ability to enlist the support of the workers it wishes to have as members.

While the constitutions and sometimes the names of the unions are designed to indicate their claim to coverage, jurisdictional lines are never fixed or settled over a long period of time. Unions tend to respond to the changes taking place in industry itself, and in a dynamic industrial situation there necessarily are frequent amalgamations as well as divisions, transfers and expansions of jurisdictions. Realignments in the corporate or managerial units of business, increasing mechanization, changes in materials and processes, bring about conditions which call for adjustments in union jurisdiction.

Such changes are likely to create potential areas of conflict between unions, resulting in jurisdictional disputes, rival and dual unionism. One of the major concerns of organized labor has been to find ways and means to settle amicably these recurring problems of adjustment to changes in business structure and processes. If the adjustment is too delayed or is not sufficiently adequate, it may jeopardize the very existence of a union; it may even cause serious defections or upheavals in the entire labor movement. Over the years a number of once powerful unions have declined or disappeared completely because they have clung to the limited jurisdiction of a particular skilled trade which gradually became obsolete. The major cause of the split in the general labor movement in 1935, which resulted in the formation of the C.I.O., was over the question of union structure and jurisdiction.

Craft Unions

A strictly craft union consists of workers who have undergone an apprentice training and whose acquired skills enable them to carry through to completion a particular process, usually requiring manual dexterity with tools. A craft union crosses industry lines, that is, it has members in *various* industries, since industries producing entirely different commodities or services include some processes or occupations which are similar. In contrast, an industrial union is identified with a *particular* industry and covers all the workers, skilled and unskilled, who are employed in that industry.

As a matter of fact, few unions at the present time fall within either

of these extreme categories of craft versus industrial organizations, and no two persons would classify existing unions alike. As an example of some which most nearly approximate pure craft unionism might be cited the Diamond Workers' Protection Union, the Journeymen Horse Shoers, Association of Siderographers, Window Glass Cutters' League, Wire Weavers' Protective Association, Marine Engineers' Beneficial Association, and the Brotherhood of Locomotive Engineers.

A number of unions are multicraft, that is, they include several parallel and somewhat related occupations. Usually these represent an amalgamation of two or more unions which in some instances is indicated by their names. For example, Bricklayers, Masons & Plasterers Union; Plate Printers, Die Stampers and Engravers' Union; Marine Firemen, Oilers, Watertenders and Wipers Association.

The majority of unions are variants of craft and industrial unionism and are usually referred to as semi-industrial. They may include one or more skilled groups along with several auxiliary semiskilled trades or helpers and assistants; or they may have a broad jurisdiction and take in all the production workers within an industry except the maintenance or certain specified technical and skilled workers. The former may represent a movement in the direction of industrial unionism; the latter usually indicates that the skilled workers were already organized and were unwilling to lose their identity when the movement was started to unionize the entire industry.

In general, the trend is toward industrial unionism. So far as bargaining with employers is concerned, joint councils of craft unions are being utilized to an increasing extent. The C.I.O. is definitely committed to organize on a broad basis,³ and many of the former A.F.L. craft unions are now admitting into membership the semi-skilled and unskilled workers within plants where formerly they took in only particular skilled craftsmen. In a few cases these semiskilled and unskilled workers, or "production" or "general" workers as they are sometimes referred to, are given the status of "B" members, paying less dues than the journeymen, or "A" members, if they are not covered by the union's pension and other benefit programs.

The printing unions are examples of a move in the opposite direction from industrial unionism. Originally the Typographical Union covered

³ One of the objectives of the C.I.O., as given in its constitution, is "To extend the benefits of collective bargaining . . . by forming labor unions capable of dealing with modern aggregates of industry and finance."

the entire printing industry. In 1888 the Pressmen formed their own union and during the following years one printing craft after another withdrew to form separate unions. In order to protect union standards throughout the industry, however, Allied Printing Trades Councils have been formed in most cities for the purpose of promoting uniform collective bargaining policy among the various printing unions, and to issue joint union labels to employers dealing with member unions.

Flexible Jurisdictions

Not only do unions readjust their jurisdictions from time to time in response to industrial changes, but the same union may function on a craft basis in some branches of an industry and as an industrial union in others. The Brotherhood of Carpenters and Joiners, for example, operates as a craft union in building construction and as an industrial union in logging camps and in furniture plants. This union is sometimes referred to as a "vertical" union since its jurisdiction is built around the commodity of wood—from the tree to lumber to building and furniture.

The Meat Cutters and Butcher Workmen functions as a craft union in local retail stores but as an industrial union in the packing industry. The Brotherhood of Electrical Workers operates as a craft union in construction work but is frequently organized on an industrial basis in plants manufacturing electrical products. Although the Association of Machinists functions as a craft union in railroad shops and confines its members to the skilled crafts in some other plants, in an increasing number of instances it is including all production workers. The Boilermakers, Iron Ship Builders and Helpers operates as a craft union in most industries but in some shipyards it has jurisdiction over practically all production and maintenance workers. The Teamsters' Union functions both as a craft and as a semi-industrial union; many of its locals are composed of specific types of drivers; others include drivers of all kinds; some locals include garage mechanics, and in the dairy industry the union's jurisdiction may cover inside employees as well as deliverymen.

In some National unions which claim jurisdiction over an entire industry, many or all of their locals may be formed on craft lines. This is especially true with the clothing and shoe unions where members of different occupations in the same plants frequently belong to different locals. Thus, in clothing there may be locals comprised of cutters,

machine operators, pressers, finishers, etc., although these locals are usually united into joint boards for purposes of bargaining with single employers or employers' associations. The C.I.O. Automobile Workers is an outstanding example of a large industrial union, but in some plants certain skilled groups, such as toolmakers, maintenance employees, etc., have locals and joint councils of their own.

The present jurisdictions of some National unions represent expedient compromises worked out between the unions themselves, or through appeal to the American Federation of Labor. For example, the Brotherhood of Paper Makers and the Brotherhood of Pulp, Sulphite and Paper Mill Workers reached an agreement in 1909 which gives jurisdiction over the skilled workers in the machine and beater rooms to the Paper Makers and all other workers in the industry to the Pulp Workers. In 1911 the Bricklayers, Masons and Plasterers Union and the Operative Plasterers' and Cement Finishers' Association entered into a working agreement which grants the latter the sole right to organize unions composed exclusively of plasterers, although the former may accept plasterers in their mixed locals in communities where there are limited numbers of plasterers employed.

In 1930 the Boilermakers acknowledged the rights of the Sheet Metal Workers to manufacture and install all sheet metal work of No. 10 gauge or lighter. As a result of several agreements negotiated by the A.F.L. over a period of years, the jurisdiction of various branches and occupations in the glass industry has been assigned to different unions. In 1901 jurisdiction of glass containers was taken from the Flint Glass Workers and given to the Glass Bottle Blowers. In 1934 exclusive jurisdiction of cutting was given to the Window Glass Cutters and all other flat glass work to the Flat Glass Workers. (Subsequently, however, the Flat Glass Workers withdrew from the A.F.L., gradually extended its jurisdiction, and affiliated with the C.I.O. as the Federation of Glass, Ceramic and Silica Sand Workers.)

Although all the railroad unions are craft organizations, there is a great deal of overlapping jurisdiction. Through the numerous elections held by the National Mediation Board among the workers on the various railroad systems in different localities, persons employed in similar occupations have chosen different unions as their bargaining agents. On some systems the Brotherhood of Railroad Trainmen represents conductors although usually they are represented by the Order of Railway Conductors. Also, switchmen may belong to the

Switchmen's Union or to the Trainmen Brotherhood. The yardmasters are scattered among half a dozen different unions, including two which are for yardmasters exclusively. Most of the dining car cooks and waiters belong to the Hotel and Restaurant Employees' but some belong to the Railway Conductors and some to the United Transport Service Employees.

INTERNAL GOVERNMENT OF NATIONAL UNIONS

The supreme authority and sole legislative body of the National union is the general convention, composed of delegates from all its local organizations. Because of the importance of the conventions as the final authority on all union matters, the frequency and regularity with which they are held, the distribution of voting power, and the manner in which business is conducted, are important criteria of a union's democratic administration. Ever-tighter control by a few officers inevitably results, for instance, when conventions are postponed from year to year, and if the attending delegates are predominantly the paid organizers or representatives chosen by the officers.

Almost three-fourths of the National unions hold their conventions either annually or biennially. About one-fifth, including the railroad brotherhoods, hold conventions every three or four years. Several, mostly unions with small membership, hold conventions every five years. Approximately a dozen unions have no provisions for regular conventions; in some cases each convention decides when the next shall be held, although most commonly a membership referendum is required. Most of the unions which do not have a regular time for holding conventions are relatively small, although a few are large expanding organizations. Among the latter is the Hod Carriers', Building and Common Laborers' Union whose constitution provides that a referendum shall be held every five years to determine whether a convention shall be held.

To take care of unforeseen or emergency problems, practically all unions provide for the calling of special conventions. Sometimes these may be called only upon the initiative, or at least with the approval, of the General Executive Board; many, on the other hand, provide for the calling of special conventions upon majority vote in a member-

ship referendum initiated by a specified number of locals located in at least several different states. Usually only such matters as are announced in the referendum vote may be discussed at such special conventions.

Conventions are attended by delegates from all the locals, the number and voting strength depending upon the paid-up membership. The basis of representation, that is the number of members required per delegate, varies considerably among the unions although the general practice is to allow a decreasing ratio of delegates as the size of the local increases in order to avoid too great domination by the large locals. The presidents and other officers of the locals are customarily chosen to be delegates; in large locals they are accompanied by other members elected by the membership.

The cost of holding conventions represents a considerable item in total union administrative expenses and is the chief reason some unions do not hold conventions more frequently. For some of the larger unions, the total cost for the holding of one convention amounts to a half million dollars or more.

General Executive Boards

Every National has a General Executive Board, or Executive Council as it is sometimes called, which is responsible for the administration of the union's affairs and which serves as an appellate body on matters referred to it by the locals as well as individual members. Typically, National constitutions say: "The General Executive Board shall execute the instructions of the convention and shall be the highest authority of the union between conventions, and shall decide all questions of interpretation of the constitution between conventions."

Although not the same in all unions, most General Executive Boards have the responsibility and authority to issue and withdraw local charters and to repeal any local's by-laws which do not conform to the National's constitution; to remove any officer for incompetency or nonperformance of duties, and to fill the vacancy until the next convention; to take charge of the affairs of any local when it is decided this is necessary "to protect or advance the interests of the union"; to pass upon all claims, grievances and appeals from locals and other subordinate bodies; to reverse or repeal any action of any National officers; to select auditors for the auditing of books, and to prepare the report for the forthcoming convention; to have supervision over

the policy and publication of the official journal; to determine the amount and methods of bonding all officers who handle union funds, and to levy assessments in accordance with the terms of the constitution.

In unions having strike and death benefits, the General Executive Board is usually responsible for these funds and their disbursement. Some unions, especially those which maintain pension and disability programs, or a home for aged members, have a Board of Trustees whose members may also be members of the General Executive Board or may be other members elected at the convention. The Trustees are bonded and have power to transact the legal and financial duties in connection with the benefit funds and union property.

Most General Executive Boards are composed of the National President and Secretary-Treasurer together with a specified number of Vice-Presidents. The President and Secretary-Treasurer are usually full-time officers, their salaries generally being specified in the constitutions although in a few unions salaries are determined by the General Executive Board. The Vice-Presidents are usually paid on a per diem basis, the amount being specified in the constitutions. Most generally the Vice-Presidents, who are chosen on a regional or branch of industry basis, also hold office in their local or district organizations which they continue to hold while serving as members of the Executive Board. Some unions, however, have a number of Vice-Presidents on a full-time basis, in which case they perform functions commonly done by staff persons in other unions, such as organization work, administering benefit programs, etc.

Duties of the President

The General President is necessarily vested with the chief responsibility for the day-to-day conduct of the union's affairs. As in any other organization, the actual powers and influence exercised by an elected leader depend about as much upon the will and ability of the person holding the office as upon the authorities formally granted by the constitution. Through the prestige of his office, as a presiding chairman and ex officio member of committees, the President has great influence in determining what and how matters are discussed and voted upon at Executive Board meetings and general conventions. As administrator of the union's day-to-day activities, his decisions and course of action vitally affect not only the internal affairs of the union and its members but also public opinion.

Most union constitutions describe the general duties of the President somewhat as follows: "The General President as chief executive officer shall have full authority to direct the working of the organization within the provisions of the constitution; he shall convene and preside at all General Executive Board and convention meetings and between sessions execute their instructions; he shall be an ex officio member of all committees and appoint all committees not otherwise provided for; he shall supervise and be responsible for the work of all organizers and levy assessments according to the provisions of the constitution and make a full report of all union activities to the General Executive Board and the convention."

While there is a great deal of uniformity in the various constitutions as to the specific duties assigned to their Presidents, the degree of final authority vested in the President differs among the several unions. A majority of the constitutions specify that the President shall have authority, subject to the approval of the General Executive Board and appeal to the convention, to decide all questions of interpretation of the constitution, to issue and revoke charters to locals and joint councils, to appoint and dismiss organizers and other union employees, to remove or suspend local officers, to sanction strikes and allocate strike benefits. A very few unions give their Presidents broad powers which, if fully exercised, would enable them to initiate basic rules and policies and have final authority to expel members and officers and revoke charters of local organizations.⁴

Organizers

An important part of the National union's staff are the organizers, commonly referred to as "representatives." They may be permanently

⁴ For example, the President of the American Federation of Musicians (A.F.L.) "is authorized and empowered to promulgate and issue executive orders which shall be conclusive and binding upon all members and /or locals; any such order may by its terms (a) enforce the Constitution, By-laws, Standing Resolutions, or other laws, resolutions or rules of the Federation, or (b) may annul and set aside same or any portion thereof, except such which treat with the finances of the organization, and substitute therefor other and different provisions of his own making . . ." (Page 20 of Constitution.)

The President of the Alliance of Theatrical Stage Employees and Moving Picture Machine Operators has the authority to carry out "the expressed purposes of the Alliance, not only along the lines expressly herein indicated but in a broad general manner, and the President shall have and is hereby specifically given the power to issue such rules, regulations, orders or mandates as he may deem necessary or advisable in the conduct of his said office." (Page 21 of Constitution.)

assigned to particular districts or regions or they may work out from central headquarters and travel from place to place wherever the union has members or potential members. While the initial function of an organizer is to solicit new members and establish new local organizations, his continuing function is to act as adviser to all the locals within his region with regard to both their internal union affairs and their relations with employers. An organizer is the point of contact between the National Office and the local organizations. It is his responsibility to interpret the aims and policies of the National to the local officers and members and to keep the National officers informed of the conditions and problems of the locals.

In some unions the organizers are elected by the convention and may serve as delegates with voting power. In most unions they are appointed by the General President or Executive Board and are considered staff employees even though they usually, but not always, have been active union members. When appointed, they generally are not allowed a voice or vote at the convention—a measure obviously designed to discourage one group of officers from perpetuating its administrative control.

Election of Officers

In about three-fourths of the National unions the general officers are elected by the delegates assembled at their regular conventions, while approximately one-fourth of the unions choose their officers by referendum vote of the general membership. In a few of the latter, candidates are nominated by convention but elected by majority vote through referendum.

Differences in method of electing officers, i.e., by convention or referendum, have no significant relationship to the size or age of the unions or their affiliations: While many of the small unions use the referendum method, some of the largest organizations also elect their officers by referendum, for example, the Carpenters and Machinists, the Steelworkers, and the United Mine Workers. On the other hand, the Automobile Workers and the Teamsters elect their officers by convention vote as do all the standard railroad unions. The long-established printing trades unions use the referendum method.

As with the election procedure of any private organization or political body, both methods have their advantages and disadvantages,

theoretical and practical. While the referendum system would seem to offer a more democratic means of expression, many unions feel that this is an unwieldy method to use where members are widely scattered throughout the country; that in actual practice it is not so conducive to popular choice of officers as the convention method where assembled delegates have an opportunity to discuss the relative merits of candidates before casting their ballots. From union experience there is nothing to indicate that one method is inherently better than the other, or that the results of most union elections would have been materially different if the reverse method had been used. Personality and other factors seem to have a greater bearing on the choice of union officials than the mere mechanics of the election procedure.

Whatever the reasons, union practice follows more closely that of business corporations than political governments in that the same persons tend to be re-elected year after year. It has been the experience with most unions, at least with respect to the presidency, that once having been elected to office, the same incumbent usually retains office until retirement or death. In only one union, however, has lifelong tenure been legalized: in 1943 the A.F.L. Longshoremen's Association amended its constitution and elected its president and second vice-president for life.

Continuation of the same persons in office year after year may be an indication that such persons are providing the kind of effective leadership which the members want or think is obtainable; it may be due simply to long-standing custom, or a reflection of workers' feelings about security of tenure with its implication that one who has given satisfactory service should be retained on the job until retirement. On the other hand, repeated re-election of the same persons may not be conclusive evidence of the wishes of a majority of the members but a result of the difficulties in the way of their making a change.

This points to the very heart of the problem of union administration, namely, the need to maintain a united front with strong, unchallenged leadership for effective employer dealing and, at the same time, to preserve maximum freedom of expression among members. Opposition to those in office may be a manifestation of a healthy and legitimate desire for change in personnel and policy, but to those favoring retention of existing officers it may be interpreted as an effort to

disrupt and weaken the union. Some unions and officers have gone far to discourage opposition movements by action at individual elections, as the histories of some union elections will reveal, as well as through the enactment of formal rules.⁵

According to some opinion, the dangers of disruptive influences could be minimized without sacrifice of democratic action if unions, like democratic governments, had formal party systems to which members with kindred ideas and programs could openly align themselves and legitimately compete for their candidates' election. The Typographical Union has long maintained a two-party system, each party preparing and campaigning for its own slate of officers at each election. Other unions during certain periods of their history have had active left-wing and right-wing movements with each faction campaigning for its own candidate at elections.

LOCAL ORGANIZATIONS

Most local unions are subordinate units of Nationals which define their locals' powers and duties and through which the Nationals reach and control the activities of their members. In addition to the locals which belong to the Nationals, there are local organizations directly affiliated with the A.F.L. and C.I.O. referred to by the A.F.L. as "federal labor unions" and by the C.I.O. as "local industrial unions." These directly affiliated locals are usually confined to trades and industries for which there are no suitable Nationals, and as soon as a sufficient number have been organized within any industry they generally form into a National.

Most generally it is the local union which conducts the bargaining with employers although the parent organization may assist in particularly difficult or important situations. To the union member, his local is his point of contact with the other organized workers in his trade or industry; it is the agency to which he expresses his demands for better working conditions and seeks settlement of his grievances, and through

⁵ An example is the provision in the Carpenters' constitution which reads: "Any member, local union, District Council, Provincial or State council which sends out any letter or letters or circulars of a scurrilous or defamatory nature against any candidate for office in the United Brotherhood, unless such candidate has been charged, tried and found guilty of a violation of some provision or provisions of the laws of the Brotherhood, shall be expelled."

which he participates in the broader political and economic programs of his union.

Size and Jurisdiction of Locals

There are at present almost 70,000 local unions in the United States. They range in size from seven to a dozen members, the minima specified in most National constitutions, to memberships of over 100,000. The large majority have a membership of less than two or three hundred; probably about 10 per cent have more than a thousand members, while only two or three have as many as 100,000 members. About a third of the total number of locals are in the building and printing trades unions which have numerous, relatively small locals scattered throughout many communities. Some of the government workers' unions, especially the mailcarriers and post office clerks, also have many relatively small locals.

Locals may be organized on an occupational or craft basis and/or on a plant or multiplant basis. The unit of organization of a local does not necessarily parallel the jurisdictional boundaries of its parent body; e.g., many locals of the clothing and other industrial unions are organized on a craft basis. Locals for each craft covering numerous employers in the same city or area are common in the building, printing, metal and trucking industries. Railroad locals are organized on a craft basis by railroad systems.

In manufacturing, locals confined to single plants are most common in unions whose jurisdictions cover all occupations within an industry. However, large locals covering all or most workers in a number of establishments in the same city and industry are not uncommon. These latter are sometimes referred to as amalgamated locals, the membership in each industry constituting a branch of the amalgamated local. Each branch elects its own stewards or bargaining officials and holds its own membership meetings, although some amalgamated locals also hold general membership meetings.⁶

Relation of Locals to Their Nationals

Each local is required to adopt a constitution and by-laws to guide its functioning, and most National constitutions provide that local

⁶ Local No. 3 of the A.F.L. Electrical Workers of New York City has 30,000 members distributed among twenty-three classes of trades and crafts. The local is classified into three divisions (1) Construction, (2) Maintenance,

by-laws must be submitted to the National Executive Board for ratification before a charter is issued, and any amendments thereafter. Violation of established rules and regulations may result in suspension or expulsion from the National. In this way, the National controls the basic policies and procedures adopted by its locals and makes sure that their policies conform to those of the National. Membership

Table III. Number of National Unions by Number of Their Locals, 1950^a

Number of Locals	Affiliated with A.F.L.	Affiliated with C.I.O.	Inde- pendent	Total
Under 10	5	1	11	17
10 and under 25	7	1	10	18
25 and under 50	5	4	15	24
50 and under 100	18	5	8	31
100 and under 200	18	9	3	30
200 and under 300	14	7	2	23
300 and under 400	5	0	1	6
400 and under 500	7	1	0	8
500 and under 600	4	1	0	5
600 and under 700	3	0	1	4
700 and under 800	3	1	0	4
800 and under 900	6	0	0	6
900 and under 1,000	1	1	2	4
1,000 and under 1,500	7	1	2	10
1,500 and under 2,000	2	0	1	3
2,000 and over	3	1	1	5
Total	108	33	57	198

^a From *Directory of Labor Unions*, 1950, U.S. Bureau of Labor Statistics, with revisions.

qualifications, area and trade jurisdiction, and methods of suspension and expulsion of members are among the matters subject to control by the National. Within these limits, however, the day-to-day policies and activities of the local union are determined by its membership.

While subject to the rules of their Nationals, each local has a voice in the formulation of these rules and policies through representation at the general conventions. The number of delegates which a local may

Manufacturing and Supply, and (3) Marine. Through these divisions the local deals with over a thousand independent employers as well as an employers' association comprising 500 contractors.

send to the convention, the highest governing body of the union, is dependent upon its paid-up membership as prescribed in the National's constitution. Even though not specified in the constitution, the president of the local is ordinarily selected as a delegate and will be accompanied by others elected by the membership if the local is of sufficient size to permit more than one delegate.

Local Officers

The constitutions of most Nationals specify the various officers which their locals are required to maintain although the choice of individuals to hold these offices and their pay are determined by the locals. The elections procedure which locals must follow is usually outlined in their National's constitution and these rules usually require notice to all members of the pending election, open nominations and majority vote in a secret ballot. Officers are usually elected for one-year terms, although in some unions longer terms up to four years are specified.

The qualifications for local union officials are sometimes more rigid than qualifications for mere membership. In all cases nominees must be in good standing with the local and in some instances must have been a member a certain length of time, such as one year, before becoming candidates for office. Procedures to be followed and causes for the removal of local officials are usually outlined in the Nationals' constitutions. If a local officer violates his National's constitution, the National may expel him. For other causes a specified proportion of the local membership may file charges and demand an investigation and trial. An expelled local officer has the right of appeal to his National Executive Board and finally to the convention.

In small locals the elected officers usually continue to work at their trade and receive no regular salary from the union; the presidents and vice-presidents are generally paid a few dollars for each meeting over which they preside, while the secretary-treasurers are paid a few hundred dollars a year for keeping the books.

Although it is more common to have the secretary-treasurer on a full-time basis than the other officers, a number of larger locals have found from experience that it is better to employ trained bookkeepers than to have members elected from among their ranks to perform the detailed duties connected with the office of secretary-treasurer. Maintaining membership roles and recording the dues of hundreds and

thousands of members scattered among numerous plants, and collecting and disbursing thousands of dollars a year, requires a special knowledge which an increasing number of locals are recognizing by employing trained bookkeepers or accountants.

Business Agents and Shop Stewards

In addition to the regularly elected officers, most unions have so-called "business agents" who are full-time paid employees of the locals with no definite term of office, thus providing continuity to the local's activities. Most business agents have served as officers and have been experienced workers in the industry, and thus know the language of the trade. As employees of the locals, they have no vote but may give advice and suggestions to the membership and elected officials. As a practical matter, the business agent usually exercises a great deal of leadership over the local and its affairs.

The functions of a business agent cover the entire field of the local's activities. He usually accompanies the grievance chairman or goes by himself to the higher officers of the firm to settle those grievances which the shop steward is unable to settle with the foreman. In smaller locals with no other full-time officers, he maintains the union's office and files and sometimes collects dues, especially from delinquent members. His duties may include such activities as preparing the local's newspaper and other publicity, arranging social functions, and setting up the agenda for local meetings. He meets with the executive board and any other special committees which may be functioning. In the building trades and some other unions, the business agent often performs an additional function in maintaining the union's hiring hall.

Strictly speaking, a shop steward is not an officer of the local, although he is the union representative who comes in closest contact with the members. It is his job to see that union conditions are maintained in the shop. Unless there is a check-off arrangement, he may also collect the dues from members in his department or plant. His chief function is to handle the grievances which members have against their employers or foremen.

Stewards are not elected in general union membership meetings, but are usually elected by the members in each department of a plant. In large plants the various department stewards, or in some cases the workers in the plant as a whole, elect a chief steward who represents the union in negotiations with higher plant officials. If the local covers

only one plant, the president of the local may function as the chief steward and, in many cases, the plant grievance committee is in reality the executive board of the local.

Membership Meetings

The local union meeting is the medium through which the membership controls the policies and activities of the union. Many National constitutions specify the minimum number of membership meetings that must be held each year. Although the monthly meeting is the rule, two or even more meetings are held every month by some locals. Special meetings are called whenever necessary by the local's executive board and, in some unions, special meetings may be initiated by a petition signed by a specified number of members. In some cases the National outlines the program to be followed by its locals, especially concerning such matters as the proper reporting of finances and activities to the membership.

As with other kinds of voluntary organizations, many unions experience great difficulty in getting full attendance at meetings. Although poor attendance is no indication of lukewarm loyalty to the union, as is evidenced by the wholehearted response during a crisis such as a strike, nevertheless the character and effectiveness of a union are strongly influenced by the attendance at local meetings, since control of any organization's affairs inevitably goes to the few faithful attendants who may or may not be representative of the entire membership.

In order to ensure maximum attendance and avoid complaints from members that measures were adopted about which they had no knowledge, many unions require their members to attend all or a specified minimum number of meetings a year. For unexcused absences fines are imposed, with possible expulsion for repeated absences. In some unions, fines are imposed only in case of unexcused absences from the annual meeting where financial reports are read and new officers are elected; other unions charge double their usual fines for nonattendance at such special meetings.

JOINT BOARDS AND COUNCILS

Joint boards and trades councils are combinations of locals having jurisdiction within related trades or the same industry. In some unions

they are referred to as joint boards, while in others they are called city or district trades councils. Whatever their title or exact geographical coverage, their primary purpose is to secure united action in collective bargaining and uniform working conditions among the employers within the same industry in a given city or area. With most unions it is mandatory to have a joint board or council whenever the union has a given number (usually three or more) of locals within the city or area, and most Nationals require all their locals within the community to belong to the council after it is once established.

Joint boards or trades councils are delegate bodies composed of representatives from all the locals affiliated with them. Their authority and responsibilities vary among the different unions. In a few instances they are not much more than advisory bodies; most generally, however, they have supreme authority over the member locals and become their governing body. They may have broad powers to determine jurisdictional disputes between locals, to try cases against local unions and officers, and to hear appeals from disciplined and expelled members. Frequently the joint board or council negotiates the agreements with employers and has the sole authority to call strikes.

There are two types of joint boards or councils: (1) those composed of locals of the same National, usually referred to as joint boards and (2) those composed of locals of different Nationals having jurisdiction over allied trades in the same industry, usually referred to as trades councils.

In the clothing and textile industries, as an example, the joint boards are made up of locals of the same Nationals. Although these Nationals are industrial in character, their locals may be organized on a craft basis, on a plant basis, by section of the industry, or may be "mixed," i.e., include workers of various occupations within the industry. The joint boards may represent all or most of the various craft and mixed locals within the entire industry in a city or region. In a large clothing center, there may be joint boards for different branches of the industry, such as knit goods, dresses, coats and suits, custom tailoring, neckwear, etc. Similarly, the Teamsters' joint councils may be composed of locals covering distinct types of trucking or delivery service, for example, milk delivery, department store or parcel delivery, heavy trucking and moving vans.

Because of the scattered nature of the coal industry, the district council is the autonomous unit over the locals of the United Mine

Workers which has 30 district organizations in coal mining. Some of these districts cover parts of states, some entire states, while a few extend across state lines. For administrative purposes the United Steelworkers has the steel-producing centers divided into districts, in each of which is a representative from the National Office. Likewise, the United Automobile Workers, the Hosiery Workers, and other unions have district organizations whose jurisdictions have a broader geographical coverage than a local area.

The printing, building, and metal trades councils are made up of locals belonging to the several National unions whose jurisdictions cover allied crafts. City allied printing trades councils, for example, include the locals of the five allied printing trades unions, namely, the Typographical, Pressmen, Bookbinders', Stereotypers' and Electrotypers', and Photo-Engravers' unions. The local councils are chartered by the Allied Printing Trades Association which has jurisdiction over the label which is issued to all employers who deal with the printing trades locals and observe union conditions of work.

Joint action among the building and metal trades unions starts at the top level with the Building and Construction Trades and the Metal Trades Departments of the A.F.L., which charter the local councils and maintain supervision over them. In large cities all the locals in the same craft may belong to a joint council which in turn is affiliated with the trades council composed of the locals in the various crafts of the same industry. In some states the building trades councils have formed state councils which serve as clearing agencies for all the local and district councils within the state.

Once a joint board or district council has been established, the Nationals involved require all their locals in the area to belong in order to promote harmony among the different crafts within a community as well as to obtain unified action with the employers. For example, some of the trades councils negotiate city-wide agreements covering all their respective crafts. In lieu of a combined agreement, a council may see that the agreements of its various locals terminate at the same date and that no agreement of any member local contains any clause which will prohibit it from assisting another member union. These trades councils have supreme authority over their member locals except that they may not force locals to take any action contrary to the policies of their Nationals. Metal trades locals, for example, must receive the sanction of their Nationals before pledging support to a general movement

adopted by any joint council. Also, a council may not compel a member local to join in a sympathetic strike with another local unless such a strike has been endorsed by the Metal Trades Department. In the building trades, no local is authorized to call a strike without the consent of its city council.

MEMBERSHIP RULES AND FINANCES

The aim of a union generally is to take in as many as possible of those employed within its jurisdiction. Although some unions may place certain restrictions on the acceptance of candidates for membership, the tendency is in the opposite direction, since it is the chief aim of the unions to expand their membership by accepting any and all persons who can liberally be interpreted as being employed within their jurisdictions.

The broad provisions specified in the National unions' constitutions necessarily allow wide latitude in practice within any local organization. Also, a local union may be able to circumvent the spirit if not the letter of its National's constitution. For example, the constitution may specify that there shall be no discrimination as to race, but the members of a local organization may have a tacit understanding among themselves not to recommend any one of the colored race for membership. Likewise, a broad requirement that all applicants must be "of

good moral character" may be interpreted variously upon different occasions.

CITIZENSHIP, SEX, AND RACE QUALIFICATIONS

The attitude of unions on citizenship, sex, and racial requirements has been dominated by the fear that recent immigrants, women, and Negroes are a competitive menace to the wage and working standards which the unions have already obtained or hope to gain. Negroes and immigrants, for example, have frequently been employed for strike-breaking and antiunion purposes, and women have been hired for wages which are below union standards. Throughout the years there have been conflicting opinions within the labor movement as to the best course to follow: whether to debar these groups from membership and seek to keep them out of the trade altogether, or whether to allow them into the union and thus reduce the hazard of having entrants into the trade accept jobs under competitive nonunion conditions.

Most generally, unions have deemed it wisest in the long run to alleviate the competitive menace of persons willing to accept jobs at low standards by taking them into the unions. Almost all of the National unions, both A.F.L. and C.I.O., are nonrestrictive although some of the unions which were established during the time of the heavy influx of immigrants into this country, specify that applicants for membership shall be citizens or at least have applied for their first citizenship papers.

While a dozen of the craft unions restrict membership to males, most of these are in building and other trades where few, if any, women are employed. Several of these unions have accepted women as temporary members during war emergency periods, and others would probably modify their sex restrictions if there were pressing need to do so. In some trades as, for example, in the maritime industry, employment and hence membership in the unions is dependent upon licenses and certificates issued by the government. Although the law does not specifically prohibit the issuance of seamen's certificates and officers' licenses to women, none in fact have been issued in this country for ocean marine service although there are a few licensed women operators for river and lake vessels.

Political Beliefs

Provisions with respect to political beliefs and affiliations have always presented a delicate problem to unions. In line with organized labor's traditional policy of political nonpartisanship, unions have adhered to the general principle that there should be no political qualifications or requirements for individual members.

An important qualification to this general expression of political freedom is specified in some union constitutions and implied in others, namely, that members shall not be identified with any political organization which is considered to be inimical to the present form of American democracy. Thus, a number of constitutions state: "No person shall be excluded by reason of his religious belief or political affiliation *provided* he is not a member of any organization hostile to the American form of government." In view of the current world situation, a number of unions have adopted more specific requirements such as: "Membership shall be denied anyone proven to be a member or in any way affiliated with the Communist or other totalitarian party, or any organization that has for its purpose the overthrow of our democratic government."

The absence of such qualifications in a union's constitution, or a provision which seemingly places no restrictions upon political action, does not in itself indicate that the union would accept or retain persons who engage in activities commonly considered to be contrary to American union philosophy. It may merely indicate that no situation or problem has arisen within the union which would cause it to adopt a specific restriction in its constitution.

Negro Membership

By and large, labor unions have been much more liberal in their attitude toward acceptance of Negroes into membership on an equal basis than have most other groups in this country, including churches, educational, and professional organizations. Racial equalitarianism has been the policy adopted by most of the labor movement since earliest times. For many years after its formation the American Federation of Labor insisted that all its affiliated unions eliminate color restrictions in line with its declared policy that "working people must unite and organize irrespective of creed, color, sex, nationality or

politics." Much like the initially declared policy of the A.F.L. is the stated objective in the present C.I.O. constitution, namely, "to bring about the effective organization of working men and women of America regardless of race, creed, color, or nationality."

The precepts adopted at conventions, however, have sometimes been ignored or been abandoned altogether, due to the insistence of rank-and-file members. Not many years after its formation, the A.F.L. began to admit unions with color restrictions and its present constitution does not mention membership qualifications. Although the matter is left to each of its constituent unions, when an affiliated union refuses to accept Negroes the A.F.L. frequently organizes them into locals (federal labor unions) directly under its jurisdiction. None of the C.I.O. Nationals have adopted any restrictive rules against Negroes but its officers in a number of instances have had to bring pressure upon local groups not to deny Negroes the full benefits of union membership and rights established by collective agreements, particularly with respect to upgrading and seniority.

At present, exclusion of Negroes by constitutional provision exists only among some of the railroad unions, and several railroad unions which do not debar Negroes from membership provide that they shall or may be organized into auxiliary locals with limited voting and other privileges. In contrast, the Hotel and Restaurant Employees' union which takes in colored dining car cooks and stewards, changed its constitution in 1936 to forbid its locals from discriminating against Negroes: "Any local prohibiting the admission of any competent person, male or female, because of race, religion or color, is contrary to our laws and is therefore null and void."

At present Negroes comprise about 5 per cent of the total union membership. Although this is considerably less than their ratio to the total labor force, a large proportion of Negroes are employed in occupations, such as farming and domestic service, which are not unionized. In the train and mail service there are three unions whose membership is composed largely of Negroes—the C.I.O. Transport Service Employees, mostly redcaps; the A.F.L. Brotherhood of Sleeping Car Porters; and the independent Alliance of Postal Employees. The last was originally composed of Negroes who were not eligible to membership in the Railway Mail Association but later it extended its scope to include all colored workers in the U.S. Postal Service. Within

recent years several unions for colored trainmen and locomotive firemen have been established for Negroes who are not welcome in the Brotherhoods, but at present these associations are more regional than national in coverage.

Membership Restrictions and the Law

During recent years union control over their admissions into membership (as well as expulsions) has been qualified by two kinds of laws—the 1947 National Labor-Management Relations Act, and the Fair Employment Practices laws which have been enacted by a number of states.

The Labor-Management Relations Act (Taft-Hartley law) specifically says unions have the right to prescribe their own rules with respect to the acquisition or retention of members *but* the Act makes it an unfair labor practice for an employer to deny employment under a union-shop contract, or in any way to penalize an employee for non-membership, if the employer has reasonable grounds for believing that union membership was not available to the employee on the same terms applicable to other members, or if the employee was expelled from the union for any reason other than nonpayment of regular dues and assessments. According to this law, therefore, a union can establish any membership rules it wishes, but it cannot enter into a union-shop agreement with an employer if its regular membership rolls are not open to all individuals and groups whose occupations and skills come within the union's jurisdiction.

Fair Employment Practices laws, as the term implies, are aimed at hiring policies of employers as well as membership policies of unions.¹ Typically, the laws make it unlawful for an employer to refuse to employ, or to discharge from employment, or to otherwise discriminate, against an individual in conditions or privileges of employment; or for a labor organization to exclude or to expel from membership or to discriminate in any way against any of its members because of race, creed, color, or national origin.

¹ New York was the first state to pass an antidiscrimination law in 1945. Since then similar laws have been enacted in New Jersey, Massachusetts, Connecticut, Rhode Island, Washington, Oregon, New Mexico, and three cities—Philadelphia, Minneapolis, and Cleveland. Several other states and cities have antidiscrimination laws, but since they do not provide for enforcement they are merely statements of policy.

FOREMEN AND SUPERVISORS

The question of whether or not to allow or require foremen and supervisors to belong to unions has always been a troublesome problem to all parties concerned—management, unions, and the foremen themselves. Most foremen have been promoted from the machine or workbench and in organized shops were union members before promotion. If they belonged to unions which maintain pension and other benefit programs, they naturally do not want to lose these benefits toward which they have contributed for many years. Even more important, perhaps, is the risk of losing their seniority rights with the privilege of bumping² when no longer needed or wanted as foremen. This hazard is increased in seasonal industries where workmen are promoted to foremen during peak seasons and return to the machine or bench during dull seasons.

The urge to belong to unions is the same for foremen as that of workers, namely, to exert group pressure in order to improve their economic status. This is especially true where foremen find that as a result of assuming the duties and responsibilities of foremanship, their hours are longer and their pay little more, and sometimes less, than that of some of the employees who work under them. Moreover, in large mass production industries, the authority and prestige of the foreman's position have sometimes depreciated to the point where he participates very little, if any, in formulating company policies, and is given limited leeway in the application of such policies within his particular bailiwick. One among hundreds of others of his same status in the company, he is almost as anonymous to top management as the rank-and-file workers and thus feels that he has little chance for individual redress of grievances.

So far as union policy is concerned, some of the oldest unions have always favored the practice of having their foremen belong to their unions because, as members, they serve to ensure adherence to union work rules, and in dealing with higher management they can sympathetically interpret union aims and policies. Many unions, on the other

² "Bumping" implies displacement of someone with less seniority. In most instances bumping according to seniority is confined to those employees covered by the employer-union agreement. However, in some plants where foremen are not union members, special clauses have been negotiated which give displaced foremen the right to return to their former or similar jobs according to their seniority standing before promotion to foremanship or, in some cases, according to their accrued seniority including the time spent as foreman.

hand, have been reluctant to allow members who have been promoted to foremen to continue their membership; much less willing have they been to allow foremen to join who have not previously belonged. This policy is based on the belief that the inherent nature of a foreman's job makes him an instrumentality of management in dealing with employees and that there can be no satisfactory commingling of management and union functions. Furthermore, many union members fear the dominant role foremen might take in union affairs if they were permitted to be active members. Foremen necessarily have leadership qualities which other members may feel might be exercised in union meetings to the disadvantage of rank-and-file members. It is for this reason that some unions which allow foremen to be members place some restrictions upon their participation in union affairs.

The alternative, however, is not necessarily between foremen not belonging to any union and being members of the same union to which their employees belong. Foremen may be organized into unions confined to persons of their own rank. There are several long-established craft unions which are composed solely of foremen and supervisors. During recent years unionization of foremen in the mass-production industries has been an active issue. The Foremen's Association of America obtained recognition from the Ford Motor Company in 1943 but met with determined opposition from other corporations. In the numerous requests for elections and certifications which the Association took to the National Labor Relations Board, the Board reversed itself several times but finally in 1945 (Packard Motor Car Company case) the Board held that independent unions composed of foremen only were entitled to protection under the law. Employers actively opposed this interpretation and were instrumental in getting foremen and supervisors excluded from the definition of "employees" in the 1947 Labor-Management Relations Act. While this Act specifically states that nothing in the Act shall prohibit foremen and supervisors from belonging to unions, it exempts employers from being required to bargain collectively with them. The Ford Motor Company withdrew its recognition of the Foremen's Association, and at present the Association has no signed agreements in any of the mass-production industries.

Foremen in Craft Unions

Many of the craft unions which are composed primarily of journeymen also permit, and in some cases require, foremen to be members.

Usually, these foremen have restricted voting privileges and union rules protect them from union discipline for actions necessary to their duties as foremen; in other words, while card members of their unions, they are considered to be directly responsible to their employers for the conduct of the men under them.

In the printing trades, union membership of foremen is a long-established practice. Foremen in the building trades who work with tools along with the men they supervise are required to be union members. Although the metal trades unions generally exclude foremen in the mass-production industries, elsewhere it is the tradition for them to belong to the same unions as the men under them. This is true in shipyards under agreements with the metal trades councils, although foremen in the government navy yards may belong to a separate organization, the National Association of Master Mechanics and Foremen of Naval Shore Establishments.

Separate organization by supervisory groups has long been the practice in the maritime industry, in parts of the railroad industry, and in the postal service. The A.F.L. Masters, Mates and Pilots and the C.I.O. Marine Engineers' Beneficial Association are organizations for licensed personnel and officers in the maritime industry. In the postal service there are organizations of Postal Supervisors and of District Postmasters.

There is extensive organization of supervisory personnel in the railroad industry, although the practice varies as to type of organization. In yard service, some of the supervisors belong to the yardmasters' unions while others are members of the train service and the switchmen's unions. The railway clerks, telegraphers, signalmen, and maintenance-of-way unions accept supervisors as members. The craft unions in railroad shops include "leader men" but other foremen belong to the Railway Supervisors' Association.

APPRENTICES

In trades which require prolonged apprenticeship, the unions are concerned with the intake of apprentices into the trade as well as the acceptance of journeymen members. Regulations restricting the number of entrants into a trade and rules for training apprentices are for the purpose of maintaining standards of skill and workmanship as well as

to protect the job opportunities and wage rates of journeymen members.

Rules regarding apprentices are included in the constitutions of most of the National unions whose jurisdictions are confined largely to skilled crafts, although some unions leave the matter to be settled locally. Local regulation is especially prevalent in large industrial unions where the bulk of the members are in occupations which do not require extended apprenticeship training. In such unions, those members who are engaged in skilled trades are frequently organized into craft locals which establish apprenticeship rules similar to rules adopted by the National craft unions.

Included in most apprenticeship rules are age requirements for entrance, number or proportion of apprentices allowed in a shop, length of apprenticeship period, and requirements for acceptance to journeyman status. Rules may specify that applicants for apprenticeship must be not under eighteen years or over twenty-two years of age, that there shall be no more than one apprentice to every five or ten journeymen in every shop, and that sons of union members must be given preference. Some constitutions specify that apprentices must join the union as soon as accepted; sometimes they are not taken into the union until they qualify as journeymen, although almost always they are required to be registered with the union.

In some trades, applicants must pass certain aptitude and physical examinations before being admitted to apprenticeship. After admittance, the training period is most frequently three or four years, with a probation period of three to six months. The methods by which apprentices demonstrate their competency and qualifications for journeymanhood vary among the unions. Some local unions conduct examinations, written and oral, while others require a practical demonstration on the job. Some unions impose a considerable fine on any member who endorses a candidate whom he knows not to be a competent worker.

ACCEPTANCE INTO UNION

The recruiting of new members and the passing upon their qualifications are primarily the responsibility of the local organizations. Although many of the Nationals assist their locals in organization drives,

practically all make acceptance or rejection of an applicant subject to the vote of the local membership. For the purpose of securing general uniformity, however, most of the National constitutions specify certain broad precepts to be applied by their locals. Many of these consist of minimum qualifications which their locals are required to impose; others are specific restrictions which their locals are required not to impose.

A basic regulation with all unions is that membership shall be confined to those actually or normally employed in the trade or industry over which the union has jurisdiction.³ A common provision is "all persons working within the union's jurisdiction" or "all persons in the trade." Some unions specify "of good moral character" and "of sober and industrious habits." A few, generally those having benefit features, establish maximum age limits, such as fifty to sixty years, and require a physical examination for admittance. Usually, however, candidates not meeting the health and age standards are admitted as nonbeneficial members.

Applicants' names presented at the local union meetings are usually accepted as a matter of course. Where unions supply workmen for the employer through the union hiring hall, as in many of the skilled trades, the union assumes responsibility for the competency of its members. In such unions, an applicant usually must be endorsed by at least three or five journeymen members who have knowledge of his ability and such older members may be fined, according to some union constitutions, if they endorse a person who they have reason to know was not a qualified workman. In some unions a special committee is appointed to investigate an applicant's qualifications as to skill as well as past employment and union record. Some craft unions require a trial period on the job before acceptance into full membership and others stipulate a specified earning capacity which, by implication, is evidence of acceptable qualifications.

Whether or not the union requires preliminary investigation, all candidates' names are presented for action at the local membership meeting. For acceptance, some unions require a majority, others a two-thirds, favorable vote of members present. A number of the Nationals'

³ A few unions have honorary members who may never have worked at the trade. Also, several unions allow their officers and staff to become members if they have not gained membership through practice at the trade. More common, however, is the requirement that officers and higher staff employees must have worked at the trade before taking office.

constitutions specifically prohibit any of their locals from requiring more than a two-thirds favorable vote. In contrast, a few unions permit and/or require rejection of a candidate if as few as five adverse votes are cast. In order to guard against hasty action, some unions provide that if an applicant is voted down the first time his name must be voted upon at the next meeting, and sometimes at a third successive meeting, before final rejection. If finally rejected, the rules may specify that the name may not be presented again for a given length of time, for example, six months. Similarly, if an applicant is rejected by any local, some National constitutions state that he may not be accepted by any other local of the union within a specified time, without the consent of the first local.

In order to avoid personal discrimination, some unions restrict non-acceptance of candidates except for specified reasons and provide appeal to the General Executive Board. A few constitutions permit the Board to allow persons who have been rejected by a local on "insufficient grounds" to become members-at-large. In a few of the small craft unions, where job opportunities are limited, permission from the National President or the General Executive Board is required before a local may finally accept a new member.

SUSPENSION AND REINSTATEMENT

After once joining the union a member is expected to continue his membership so long as he remains employed in the industry or trade within the union's jurisdiction. For that reason the term "resignation" is seldom, if ever, used by unions. If a member changes jobs but remains in the trade or industry over which his union has jurisdiction, he obtains a transfer; if he retires or changes his occupation to one outside the jurisdiction of his union, he applies for an honorable withdrawal or retiring card. Any separation from the union other than honorable withdrawal or transfer is cause for suspension as, for example, dues delinquency or, as happens infrequently, for expulsion because of violation of union rules.

Unions generally provide that if a member fails to pay his dues for a certain length of time—most commonly two or three months—he is automatically suspended and, if working under a union-shop agreement, he must be dismissed from his job. If a member works for an

employer who has a checkoff arrangement with the union, dues paying automatically continues for the duration of the agreement. In some plants which do not have the checkoff, union officers are privileged to collect dues within the workplace or at the factory gates on payday. Elsewhere it is the responsibility of each member to go to the local union headquarters to pay his monthly or weekly dues.

Requirements for reinstatement of suspended members vary. In unions with low initiation fees, where there is no union-shop agreement, members may be inclined to allow their dues to lapse, if rejoining at any time is too easy. Such lapses in membership tend to take place after a wage increase or other improvement in working conditions has been obtained or, conversely, during times when the union is not able to gain immediate benefits for its members. In unions with relatively high initiation fees, the membership is more likely to be stable, since the cost of re-establishing good standing more than offsets continued payment of dues.

As a deterrent to frequent lapses in membership, most unions require the full payment of all back dues and assessments in addition to a specified reinstatement fee, especially if the person has been continually employed in the interim. In some cases the reinstatement fee, or rejoining fee as it is sometimes called, is less than the original initiation fee; where the latter is nominal, the reinstatement fee is likely to be somewhat higher. Some unions make no distinction but require their suspended members to pay the regular initiation fee in addition to all back dues and assessments. A few require no payment of back dues or assessments but have a relatively high reinstatement fee, for example, as much as \$30 or \$50. On the other hand, if a union, because of depressed business conditions or for other reasons, has suffered heavy losses in membership, it may offer the cancellation of all back dues as an inducement for mass rejoining during the period of an organization drive.

EXPULSION

While expulsion for causes other than nonpayment of dues is infrequent, it nevertheless is a serious matter and may prove a hardship in individual cases, especially where the union has union-shop agreements

with most or all employers in the industry or locality, in which case expulsion is tantamount to depriving a member of employment within his trade.

Unions naturally consider those actions which jeopardize the existence or prestige of the union to be the most serious offenses, such as instigating internal factional disruption, promoting or aiding a rival union, or going to court about internal union matters. Here unions face the same problem as any political or other organization; namely, the inherent contradictions of group solidarity versus individual freedom.

In their day-to-day functioning, unions and union officers are continually faced with the problem of how to impose the discipline that is necessary for effective group action and at the same time preserve maximum freedom of speech of the individual; how to maintain organizational cohesion and unity of purpose and at the same time retain sufficient flexibility to permit group protests which might result in changes in customary procedures. Permissible grounds for expulsion and the methods by which they are consummated are important criteria of the way a union seeks to reconcile the necessities of efficient administration with maximum freedom of expression and action by its members.

Causes for Expulsion

Although some union constitutions do not specify particular causes for expulsion, all of them carefully outline the procedure to be used when charges are brought against a member. In many, the grounds for expulsion are described in such general terms as "violation of union rules" or "continued offense against the union." A number add to these general expressions such specific offenses as intemperance or selling alcoholic beverages (common among railroad unions), accepting a job declared unfair by the union, working in a nonunion shop, strike-breaking or, conversely, going out on strike without the sanction of the union. Essentially such constitutional provisions are designed to permit expulsion only when basic union rules are violated.

In contrast are the provisions in a number of constitutions which itemize numerous causes for expulsion which, if enforced, might result in the expulsion of a member who openly voiced dissatisfaction or who sought to solicit votes for a change in union program or officers. Such potential infringements on members' freedom of speech generally turn

on such clauses as "making untruthful statements," "impugning the motives of officers," "misrepresenting the union and its officers."⁴ The distinction between allowable and forbidden activities in connection with members' efforts to bring about changes in union government and program hinges on what constitutes "attempts to create dissension among members," "advocating or attempting to bring about a withdrawal of any member or group of members," "working in the interests of any cause which is detrimental to the union," "hampering any local or National officer."

Procedure for Expulsion

Obviously such clauses are subject to various interpretations under given circumstances. Their potential dangers are greatly mitigated, if not eliminated, if accused members are ensured a fair trial before a heavy fine or expulsion is imposed. The common procedure in a discipline case is for a member or officer to file specific charges at a local membership meeting. A trial committee is thereupon chosen by the president or elected by the members to investigate and conduct hearings. In some unions the committee's report to the local membership consists of a statement of findings only; in most unions the trial committee submits a verdict and recommendation for action, along with the evidence. In either case the accused member has the right to appear before the entire membership in his own defense. Most unions require a two-thirds affirmative vote of all members present at the meeting for the levying of fines or for expulsion. If the accused is acquitted, according to the rules of some unions, the committee may "investigate the intent of the accuser."

The constitution of practically every union gives a member expelled by his local the right to appeal to his National Executive Board and, finally, to the convention. Right of such appeal is provided also where heavy fines, which might be tantamount to expulsion, are voted by the local for disciplinary purposes. In most cases a member who is expelled from one local may not be admitted by another without the approval

⁴ The constitutions of several unions include in their definition of "conduct unbecoming a union member" such clauses as: "Any officer or member circulating or causing in any manner to be circulated any false or malicious statement reflecting upon the private or public conduct, or falsely or maliciously attacking the character, impugning the motives or questioning the integrity of any officer of the union, shall be deemed guilty of conduct unbecoming a member and subject to fine or expulsion."

of the first local, and some unions also require the approval of the National Executive Board. A few unions put a time limit of six months or a year before any expelled member may rejoin; in all cases, of course, the expelled member must pay all outstanding fines as well as the usual, or sometimes a higher, rejoining fee.

In a few unions, the National President may take the initiative in the disciplining of members although theoretically, at least, appeal is possible to the general convention. Most generally, the power of the President to suspend a member is limited to actions which jeopardize the union's existence or reputation, such as "promoting dual unionism," going to civil courts over "internal union matters," or publicly attacking the union. Several unions require as part of their oath of office or admission to membership, a promise not to resort to any court "to secure redress of wrongs" before exhausting all the remedies provided by the union, and if a member goes to court the President may automatically suspend him.

TRANSFERS AND WITHDRAWALS

A change-of-job situation may cause or require a change in union membership. A member may accept employment in another locality even though he continues in his same trade, or he may accept employment in an entirely different line of work; he may be promoted or demoted to an occupation lying outside the jurisdiction of his union, or he may be unemployed for a prolonged period of time.

A transfer from one job to a similar job in another plant or locality would not entail a change of union but merely a transfer from one local to another local if the same National had jurisdiction over both jobs. Transfers between locals of the same National are usually accepted as a matter of course. However, if a local already has unemployed members it may refuse to accept requests for transfers, although some Nationals require their locals to accept all requests for transfers, especially to members of at least two to five years' standing. A few Nationals permit transfers from any other National affiliated with the American Federation of Labor or the Congress of Industrial Organizations, as the case may be, on the same basis as they provide for transfers between their own locals.

For special or temporary assignments, "courtesy privileges" may be

extended a member from an outside local. Some of the craft unions issue "traveling cards" which permit the holders to take jobs for a limited length of time in any community without formal application for a transfer, provided, of course, the local in that community is not on strike. Before accepting a new job, however, he must register with the local having jurisdiction over the job and pay dues to this local as long as he continues on the job. To make a permanent transfer he must obtain a "clearance card" from the local to which he belongs, which indicates he is a member in good standing with paid-up dues and assessments. Most generally the transfer or clearance card relieves the member from paying any initiation dues to the local to which he transfers. Since the amount of initiation fees may vary between the locals of the same National union, it is general practice to require those who have not been members for as long as one or two years to make up the difference when transferring to a local having higher initiation fees.

When a member changes his line of work or accepts a job in an occupation or industry outside the jurisdiction of his union, he usually obtains an honorable withdrawal card which gives him the privilege of returning to his original union whenever he wishes. He may, however, choose to retain his membership, especially if he has accrued old-age or other benefit rights. Membership in more than one union is allowable, provided there is no active rivalry between the unions within the plant or trade.

Some unions permit a member who is promoted to a foremanship (in unions which exclude foremen from membership) or retires because of old age or disability to obtain a retirement or, as it is sometimes called, an honorary membership card. An honorary member, although he may take no active part in the union's affairs during the period of retirement, is entitled to reinstatement, usually without payment of any fees, if his situation changes and he wishes to rejoin as an active member. In unions having benefit programs he retains his accrued rights to death benefits provided he has been a member for a specified period of years.

Unemployment or Military Service

A problem of considerable practical importance to the union as well as individual members is the question of membership status during periods of unemployment. All unions naturally want their members to retain their connection with the union and various means are provided

to carry unemployed members during periods when they are unable to pay their regular dues.

In some unions the dues for unemployed members are reduced to a nominal sum, for example, 10 cents a month. In other unions there is no reduction of dues but members are not dropped if in arrears for as long as six months. The latter arrangement is common with unions having death and other benefit programs where a reduction or suspension of dues would affect a member's benefit privileges.

Many unions grant complete exemption of dues during periods of unemployment due to sickness, strikes or layoff. Some specify that those working less than forty hours in any month shall be granted a dues-exemption stamp; others grant out-of-work stamps to members who have not had as much as ten days or more employment, while some merely provide that those unemployed "the major portion of the month" shall be exempt from dues payment for that month.

Most unions provide that members drafted into the armed forces are to be retained as members in good standing but relieved of all dues payments until a specified time—usually sixty days—after discharge from military service. A number of unions have gone further by making special concessions to returned veterans who were not members of their unions before induction. Thus some unions with relatively high initiation fees have agreed to accept into membership, without payment of initiation fees, any honorably discharged veteran who has acquired "reasonable" skill in the trade while serving in the armed forces, or who gives other evidence that he is qualified to hold positions under the union's jurisdiction.

FINANCES AND DUES

The total amount of money which passes in and out of all union treasuries amounts to at least a half billion dollars a year. The reserve on hand at any given time in most local unions probably averages not more than \$10 or \$15 per member. Total and per capita reserves of the Nationals vary not only in relation to the size of the unions but whether or not they maintain pension and other kinds of benefit programs. (See next chapter.) Aside from disbursements under benefit plans, the bulk of the unions' funds is used to advance the general economic interests

of the millions of workers who support the unions, and to promote legislation and other measures which will improve the well-being of workers, nonunion⁵ as well as union. In union bookkeeping the furtherance of these activities is chargeable to general administration, organizing, and strike expenses.

Costs of Administration

On an average, over the years, the greatest items of expense to unions are the salaries and traveling expenses connected with administration and organization work, although at certain times other expenditures may be much greater. (A prolonged strike, for example, may involve many times the outlay of ordinary administrative expenses, in addition to loss of dues.) The number of full- and part-time persons on a union's staff will vary not only in relation to the size of the organization but also in accordance with the activities conducted by the union at any particular time. During an active membership campaign a union will employ additional organizers; if engaged in litigation or negotiating an agreement involving the preparation of a good deal of statistical and legal data, extra lawyers and economists will be employed. Unions which engage in benefit programs must employ actuaries and accountants to administer these activities.

Since practice varies as to the relative amount of the services performed by the National office and its locals, the comparative costs as between National and local administration are not uniform. In some unions most of the organizing work emanates from the National office; elsewhere the locals and district councils assume much of the organizing responsibility. In general, the paid organizers and enforcement officers comprise the bulk of the unions' staffs. On the average there is probably one full-time paid representative for each 1,000 members.

In most of the Nationals the only elected officers who are paid on a full-time basis are the president and secretary-treasurer. Their salaries differ not only according to the union's ability to pay but also according

⁵ For example, wage and hour legislation, and safety, health, and social security programs, both federal and state. Not only does organized labor employ economists, lawyers, and others to take an active part in promoting such legislation, but representatives of the unions are frequently called upon to serve on tripartite advisory committees and in other ways to assist in the effective administration of the laws. To the extent of the cost of these salaries and other expenses, the dues-paying members of unions are bearing the costs of benefits which are shared by all workers affected by the legislation, nonunion as well as union.

to its general theory of remuneration for such officials, as well as the attitude of the membership toward the particular person holding the office. Some unions, especially the smaller craft unions, base the salaries of their officers at about or slightly above the highest level of wages earned by their members at their trades. Other unions, especially those which deal with large corporations, feel that the prestige and effectiveness of their officers are enhanced if their salaries approximate those received by the employer representatives with whom they deal. In many instances the salary paid a particular president or other official is a token of recognition and appreciation of his long service rather than an established remuneration for the office as such. The salaries of a majority of National union presidents range from \$8,000 to \$15,000 a year. At least seven receive salaries ranging from \$20,000 to \$50,000. In general, the salaries of the full-time vice-presidents and secretary-treasurers are about 20 per cent less than those of the presidents.

Dues and Assessments

Members contribute to the support of their unions by payment of (1) membership dues, usually on a monthly basis; (2) special assessments, usually for some particular purpose; (3) initiation fees when they first join the union, and reinstatement fees if they have withdrawn or allowed their membership to lapse and seek to rejoin. On rare occasions fines may be levied upon members, but these are disciplinary measures and not for revenue purposes.

All money is collected by the local unions, either directly from the members or through the employers when unions have checkoff arrangements. The locals, in turn, forward certain specified sums to their National union and the other organizations with which they are affiliated, such as local joint boards, city centrals, and state federations. The latter amount to only a few cents per capita taxes a month but the locals' payments to their Nationals are greater—most commonly 75 cents to \$1 per member per month, exclusive of payments to union welfare funds. From these taxes the Nationals in turn pay a per capita tax to any organization with which it is affiliated—the A.F.L. and its Departments, or the C.I.O.

The large majority of union members are now paying dues of \$2 a month, although some are paying as much as \$3 and \$4 a month, and a few are paying \$5 or more a month. These latter, almost without

exception, are highly skilled craftsmen. In several unions the dues are levied in accordance with earnings—for example, 2 per cent of the weekly wages of each member.

None of the "low dues" unions maintain old-age or other pension activities, although some carry group life insurance or maintain burial funds that pay a few hundred dollars upon the death of a member. In most of the unions which have dues as high as \$3 or more a month, a substantial portion of the funds collected are used to finance benefit programs such as old-age and disability pensions. A number of these unions have two classes of membership, beneficial and nonbeneficial; where the first class of members may pay dues of \$3 or more, the dues of the nonbeneficial are \$2 a month. The latter members are usually engaged in the less skilled occupations, or persons who were middle-aged or over before they were taken in as members.

On occasion the money received from regular dues may be insufficient to meet all the union's current or anticipated expenses. A union may decide to engage in an intensive organizing drive; its funds may have been depleted because of a prolonged strike or unusually heavy outlays for disability benefits; or it may vote to make a contribution to a benevolent cause. For such contingencies a single assessment may be levied upon each member, or a specified assessment may be levied for a given number of months.

Assessments may be levied by the National office, in which case all members of the union pay alike; or they may be levied by individual locals, in which case only the members of the particular locals are affected. Most commonly, assessments may be levied only after a two-thirds favorable referendum vote of the membership affected. Some constitutions impose a limitation even with referendum voting, for example: "not to exceed \$2 a year" or "not more than 5 cents in any one month"; and a few prohibit special assessments under any circumstances. On the other hand, in a number of unions the general executive board is given wide latitude and has authority to levy special assessments "whenever necessary" or "whenever necessary to meet an emergency."⁶

⁶ The 1947 Convention of the American Federation of Labor amended its constitution to permit the Executive Council to levy assessments on all affiliated unions "when the interests of the A.F.L. requires." The reasons for this broad grant of power was to enable the Federation to establish a "public relations program for the purpose of offsetting the widespread propaganda activities of the powerful forces arrayed against organized labor." The resolution pointed

INITIATION FEES

A large majority of the present union members paid a fee of \$2 to \$5 when they were initiated into their unions, although a considerable number, especially those in the skilled trades belonging to craft unions, paid higher initiation fees—most commonly \$10 to \$25. Some have paid as much as \$50; in a few locals, initiation fees run as high as \$200 to \$300, with a few instances of \$500 or more. Initiation fees, unlike dues, are not levied primarily for the purpose of revenue, and the income from such fees is irregular. During periods of stabilized membership little is received in initiation fees, no matter how high the individual fee may be; during periods of expanding membership, as under wartime production, the initiation fees amount to considerable sums.

Unions which charge relatively high initiation fees regard them in the nature of a fine as well as a means of membership control. They maintain that the older members who have contributed many years to supporting their unions have enabled the unions to obtain higher wages and better working conditions than would have existed if there had been no unions. Since newcomers to the trade profit by these hard-won gains, the older members consider initiation fees a reimbursement for past services of the union, a method by which the new members share the cost of improved working conditions which they did not assist in procuring. This is evidenced in the practice of some unions of differentiating between the amount of fee charged those joining before a contract with the employer is signed and those joining after union conditions are established.

Historically, high initiation fees have been a means of controlling the intake into the union as well as into the trade. Unions which charge high initiation fees justify them on the grounds that they tend to stabilize employment for their members by acting as a deterrent to large influxes of new workers into the trade during temporary booms; for once new members are accepted, they not only share in the job opportunities during the temporary boom, but also claim rights to jobs when they become scarce. These unions contend that, if the need for extra workers is confined to one locality, their unemployed members else-

out that the National Association of Manufacturers was planning an annual \$2,000,000 "public relations program."

In 1950 the C.I.O. voted a 2 cents per month per capita tax for twelve months to tide over the loss of revenue resulting from the expulsion of Communist dominated unions and to finance necessary reorganization.

where should be transferred, and that if it is a general but short-time boom the available jobs should be stretched over a longer period for those already in the trade rather than have new members taken in. Unions which charge extremely high initiation fees claim that such fees are seldom if ever actually paid by anyone, but that they are a device for keeping out newcomers.⁷

The 1947 Labor Management Relations Act makes it an unfair labor practice for unions to require members employed under union-shop agreements to pay "excessive" or "discriminatory" initiation fees. The National Labor Relations Board is made the judge of the reasonableness of such fees, the law specifying that "the Board shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected."

FINANCIAL RECORDS

Provisions for the auditing of accounts and the reporting of the union's finances to the members are an important part of every union constitution. The constitutions of the Nationals not only specify the method and frequency of auditing and reporting the Nationals' accounts, but also contain regulations concerning their locals' financial records.

Almost all unions require an auditing of funds by certified public accountants at least once a year; many specify a quarterly or semi-annual audit. The auditor's annual or biennial report is generally

⁷ An interesting development took place in 1949 with respect to initiation fees of New York longshoremen. At a time when the federal law made closed shop and union hiring halls illegal, the New York City Commissioner of Investigation of Waterfront Conditions asked the International Longshoremen's Association to close its membership books. (This A.F.L. union, unlike the C.I.O. Longshoremen's union on the Pacific coast, does not maintain hiring halls.) The Commissioner advised the closing of membership books because "the excess of workers scrambling for jobs created dissatisfaction and an unhealthy condition in an industry which employs casual labor. Until this surplus is eliminated," he said, "we cannot hope to stabilize labor conditions and improve the lot of the longshoreman."

The union president felt compelled to reject this proposal for closing his membership books, he said, because it could put the union in the position of violating the Taft-Hartley law and expose the union to charges of being a monopoly. He suggested instead that the union increase its initiation fee to \$50 to discourage additional members.

incorporated in the executive board's report to the convention and is published in the convention proceedings. Frequently the entire report or an abbreviated summary is published in the union's journal or in a special bulletin for distribution among the members. In response to recent public interest in union finances, a number of unions have adopted the policy of issuing the reports of their certified public accountants in pamphlet form for general distribution. As in business and other organizations, the practice varies with respect to the amount of detail covered in the published reports. Some of the financial reports of unions are brief and general, whereas others cite all items of receipts and disbursements, the reports covering as much as fifty or sixty printed pages.

Several states have enacted laws which, among other measures, require unions to submit detailed financial reports to designated state agencies. Under the terms of the 1947 National Labor Management Relations Act a union is deprived of all the benefits of the Act, such as the right to petition for election for bargaining agent, unless both the local union concerned and its National organization furnish annual financial reports to all members and file reports with the U.S. Secretary of Labor showing the following: salaries and allowances paid its three principal officers and any others whose compensation amounts to more than \$5,000 a year; the amount of initiation fees, dues, and assessments charged; the amount and source of all union receipts; the purposes and amounts of disbursements; total assets and liabilities at the end of the year.

PART THREE

Beneficial and Educational Activities

Chapter 6

BENEFIT PROGRAMS

The primary concern of labor unions is to bargain with employers in order to improve job conditions, but unions have also been interested in other matters which affect the well-being and economic security of their members. High on the list of such activities have been health and old-age insurance programs. Others have been directed toward furnishing members with recreational and credit facilities. The Amalgamated Clothing and Textile Workers unions have undertaken successful housing projects, and a number of unions participate in other forms of co-operative enterprises to furnish members with food and clothing at reduced cost. Some activities which were actively sponsored at one time have been discontinued because of disappearing need; others have been abandoned because of lack of success. Among the latter are producers' co-operatives and banking enterprises.

CO-OPERATIVE ACTIVITIES

Producers' Co-operatives

When workers first began to organize, in the middle of the nineteenth century, many of them considered trade unions to be merely a

first step on the road toward self-employment through co-operative or worker-controlled factories and other producing activities. The Knights of Labor was founded upon the ideal of a society composed of co-operative enterprises in which there would be no hired labor, but in which producing units would be owned and managed by those engaged in them—industrial workers, farmers, clerks and technicians.

The failure of the Knights of Labor experiments and the conviction that such ambitions not only were futile but were diverting the energies of organized workers from more practical and near-at-hand achievements were major factors in the establishment of the American Federation of Labor. By the turn of the twentieth century the American labor movement had formally renounced the principle of an industrial society composed of self-governing or co-operative workshops. However, a number of unions upon particular occasions have taken over bankrupt and other businesses and managed them on a co-operative basis. As late as 1937 there were at least twenty-seven such producers' co-operatives—chiefly small print shops and laundries and plants engaged in cigar, clothing, and shoemaking—which had been taken over by unions for the practical and immediate purpose of providing jobs to members who were left stranded after private owners had gone bankrupt or had locked them out during a labor dispute.¹ Practically all of these ventures have been abandoned during recent years.

Labor Banking

Years after most labor unions had abandoned any aspirations they might have had for widespread, co-operatively owned manufacturing enterprises, a number of them enthusiastically embarked on banking and other financial ventures. While there had been some discussion for a number of years at A.F.L. and various union conventions concerning the question of labor-owned and operated banks, it was not until the antiunion campaigns following World War I that any such banks were actually established.

¹ An outstanding experiment in union-managed production was that of the Amalgamated Clothing Workers which started a clothing plant in Milwaukee in 1928 to provide employment for members locked out by a company which had decided to go "open shop." This union-operated plant was engaged solely in production of clothing for Hart, Schaffner & Marx on a contract basis and thus had no responsibility for marketing its products. The enterprise operated successfully for over three years, provided steady work to more than 200 members. When the depression forced the Chicago firm to cancel further orders, early in 1932, the union was forced to give up the project.

In 1920 the Association of Machinists took over a majority of the stock of a bank in Washington, D.C., and the Locomotive Engineers initiated their ambitious investment and banking program by founding a bank in Cleveland, Ohio.² Union after union followed, some by purchasing the controlling interest in already established banks and others by founding entirely new banks. In 1926, the peak of union banking activities, various National and local unions, state federations, and city centrals owned thirty-six banks with total resources of over \$126 million. A few years thereafter, most of them were liquidated: Fourteen before 1930 and eighteen during the subsequent business depression. Currently, there are four labor banks in operation; two are owned by the Amalgamated Clothing Workers, (Chicago and New York); one in Newark and another in Kansas City are jointly owned by several unions. Their total assets in 1950 amounted to almost 95½ millions of dollars.³

The motives for embarking on these banking activities were varied: To provide a means for investing union funds; to pay higher interest rates to member depositors and make more generous loans to member borrowers than commercial banks were making; to protect the labor movement by withdrawing the funds of unions and their members from banks which were participating in antiunion campaigns; and to render financial assistance through loans to "fair" employers and others who were friendly toward organized labor.

The reasons for their failure were equally varied: Selection of persons to run the banks who had had too limited banking experience; interference of union officials who served on the boards of directors; losses from character loans to members who frequently considered they had a right to obtain loans upon the asking; skepticism and indifference of rank-and-file members who refused to deposit their savings in their union banks. Also, a number of the unions were finding that their banking enterprises were causing disruption and factional disputes between unions: In order to protect their investments, some of the banks had faced the embarrassing situation of having to co-operate

² During the following six years the Locomotive Engineers owned and controlled fourteen banks, a holding company, an investment company, six security corporations, a realty and mortgage company, an insurance company, and several "thrift" companies, besides having an interest in a Wall Street bank and another in Florida. They also started a real estate development in Florida covering 50,000 acres, and including three hotels. All these enterprises had failed or been abandoned by 1930 at a great loss to the union and individual members.

³ Monthly Labor Review, July, 1950, p. 125.

with and even take over nonunion businesses, thus finding themselves competing with concerns paying union wages.

Unions generally have concluded that their banking adventures were a mistake. A typical comment upon final liquidation was that of the Railway Clerks: "We learned the lesson at not too great a cost, that the proper business of a labor union is to promote the welfare of working people through processes of collective bargaining."⁴

Consumers' Co-operatives

Although consumers' co-operatives in this country have never had as wide an appeal as they have had in Great Britain, Sweden, and some other countries, the American labor movement has always endorsed the principle of such undertakings and some unions have been actively engaged in them. First among the reasons for such participation, of course, is the desire to make wages go further through the lower prices made possible through co-operative enterprises. Beyond this purely economic motive is the belief shared by all "co-operators" that the co-operative movement is a force for democracy and a salutary competitor to monopolies and big business.

While many union members belong to consumers' co-operatives and serve on their boards of directors, few co-operatives in this country are confined to union members. The predominant attitude of union leaders is that co-operatives should not be restricted to union members; that one of the important benefits to be derived from such activities is the opportunity they offer for union members to mix with other groups in a common endeavor to serve the entire community.

Co-operative Housing

With one notable exception, unions in this country have not launched into co-operative housing projects to any ambitious extent. The Hosiery Workers in Philadelphia, the Textile Workers in Front Royal, Virginia, and unions in Racine, Wisconsin, have sponsored the financing and construction of housing projects which were later sold to private individuals or to commercial companies. The Amalgamated Clothing Workers is the only union which has sponsored co-operative housing companies; they now have three developments in New York City which provide facilities for a total of 2,500 families.

⁴ 1943 Convention Proceedings of the Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, p. 178.

These A.C.W.A.-sponsored housing companies are co-operative organizations; the union lends its name and occasionally acts as a financial guarantor but it does not own any stock. Control and ownership rest entirely with the tenant-co-operators and each tenant-member has one vote regardless of the number of shares of stock owned or size of unit occupied. Membership is limited, as much as possible, to wage earners and families of moderate income, but is not confined to members of the Clothing Workers. The "open membership" principle is maintained for two reasons: first, because there is less financial risk when the investors are not limited to persons engaged in a single industry; and second, a broader and more interesting social life is afforded when the tenants are employed in a variety of occupations.⁵

UNION FINANCED BENEFIT PROGRAMS

Many of the early trade unions established in the latter part of the nineteenth century were expressly organized for the purpose of providing various types of benefits for their members, as well as for collective bargaining purposes. In the absence of any governmental social insurance, or even any group insurance plans which later were provided by some private insurance companies, it was natural for workers to seek some arrangements which would provide a modicum of financial assistance against those inevitable contingencies which result in loss of wages and hardship to their families. Until the passage of social security legislation, union organizers frequently found that the benefit features of their unions were their best selling points when seeking to extend membership.

Organized labor actively participated in the promotion of federal and state pensions and unemployment insurance programs, and since the enactment of the Railroad Retirement Act and the Federal Social Security Act in 1935, labor has sought to have these acts liberalized and expanded to cover additional groups of workers and types of benefits. Some of the unions which had benefit plans before the enactment of government social security are continuing their programs; a considerable number are promoting other forms of benefit programs, more

⁵ Abraham E. Kazan, "Union Cooperative Housing," in *The House of Labor*, Prentice-Hall, Inc., New York, 1951.

especially sickness and disability insurance, through collective bargaining with individual employers and employer associations.

Death Benefits

A popular form of union benefit activity is the death allotment made directly from the union treasury. Most commonly this is a lump sum payment of \$100 or \$200 which is primarily intended for burial expenses. In some cases the allotments are more generous, and a few unions provide additional allotments of several hundred dollars for the immediate assistance of the dependents of deceased members. Instead of direct death allotments, or supplementary to them, a number of unions provide group insurance, usually covering life and permanent disability. Many of these policies are written by the Union Labor Life Insurance Company which was established in 1925 by the American Federation of Labor. Exact figures are unavailable but it is probable that the various unions through their treasuries and through their group insurance policies distribute considerably more than \$20 million a year in death benefits.

Old-Age and Disability Benefits

Since the enactment of government social security, many unions have abandoned their formal plans for unemployment and old-age pensions and directed their attention more to health and disability insurance. Benefit and insurance programs of the National and local unions are financed either through the per capita tax (regular dues) or by special assessments. Those which maintain costly benefit programs usually specify in their constitutions the exact portion of the per capita tax that is to be used for benefit purposes, and keep these funds separate from their general administration funds. The benefit programs of several unions cover only a portion of their members, usually the skilled craftsmen whose dues are much higher than those of nonbeneficial members.

Seven unions maintain homes for their aged and disabled members. The Railroad Employees' Home at Highland Park near Chicago is operated by three railroad brotherhoods and has a capacity of 135. The Railroad Conductors maintain their own home near Savannah, Georgia. The Typographical Union has a combined home, hospital, and sanatorium near Colorado Springs which accommodates 455 per-

sons. The Printing Pressmen's combined home, tuberculosis sanatorium, and trade school, which is located on an 1,800 acre plot in northeastern Tennessee, has 240 rooms for their aged and sick. The Carpenters' home is located on a 2,000 acre tract near Lakeland, Florida, and accommodates 400 persons.

These unions, and several others, maintain formal programs which provide weekly cash benefits to their retired and disabled members. Beneficial members of the Carpenters' Union who have had thirty years' continuous membership in the Brotherhood, are sixty-five years of age and unable to provide for themselves, may either go to the Carpenters' home or receive a monthly pension. The Bricklayers' old-age relief system provides payments to members of twenty or more years' standing who have reached the age of sixty-five. Members of the Bridge and Structural Iron Workers' Union who have been engaged in structural work for at least twenty-five years, are covered by a pension program after reaching the age of sixty-five.*The Brotherhood of Electrical Workers maintains a pension program for its Class A members who have been members for at least twenty years.

The Brotherhood of Railroad Trainmen, through its Insurance Department, provides sickness, accident, disability, and death benefits, as well as medical care for tubercular members. The Pressmen's Union pays weekly benefits to its incapacitated members who have been in good standing for at least twenty years and who do not wish to enter the Pressmen's home. The Typographical Union maintains a combined old-age and disability plan for members over sixty years of age with at least twenty-five years' standing who are not able to secure sustaining employment, and totally incapacitated members of twenty years' standing who are not able to enter the Printers' home.

The weekly cash benefits provided by these union-financed programs are moderate, mostly \$10 a week or less. An exception is the Typographical Union which in 1950 increased its old-age pension and disability payments to \$18 a week. The Typographers' program, which also includes death payments, is financed by a 2 per cent assessment on members' wages.

BENEFIT PLANS PROVIDED BY COLLECTIVE BARGAINING

During recent years an increasing number of unions have succeeded in having disability and retirement benefit plans included in their agree-

ments with employers. The health and disability programs obtained through collective bargaining provide a form of insurance protection which is not included under the federal social security system.⁶ The retirement insurance plans, on the other hand, provide additional payments to those received under the government program.

Disability Benefits

Most of the disability insurance programs negotiated through collective bargaining are financed entirely by employers, although the unions assume a major role in their administration.⁷ A considerable number are underwritten by private insurance companies which assume the responsibility for determining eligibility claims and payment of benefits, although frequently the union, or the union and employer jointly, review the claims and sign drafts on the insurance company.

Most of the agreements which provide for health benefit plans stipulate that the employer shall contribute a specified percentage of his pay-roll to meet his obligations although some, for example the coal mining agreements, provide for a levy on the goods produced. The percentage of pay-roll contributions range from 1 to 5 per cent, but most commonly it is 2 or 3 per cent. In the main, the health benefit plans provided under union agreements include weekly cash benefits during periods of illness and of disability caused by nonoccupational accidents, and the payment of hospital and surgical expenses and, in

⁶ Although insurance for temporary and permanent disability is not provided in the present federal social security program, several states have established insurance plans for temporary disability and the Railroad Retirement Act covers railroad workers who are retired because of permanent disability. Between 1942 and 1950, Rhode Island, California, New Jersey, and New York enacted laws making mandatory provision for weekly benefits to employees unable to work because of sickness. Payments are limited to a maximum of twenty-six weeks in a year in all these states except New York which has a thirteen-week limit. In 1947 sickness benefits were incorporated in the Railroad Unemployment Insurance Act and weekly benefits, payable for a maximum of twenty-six weeks a year, are paid on the same basis as for unemployment due to lack of work.

⁷ The 1947 Labor Management Relations Act specifies that the details of all benefit plans must be stated in the agreement and must be administered jointly by representatives of the employer and the employees, and must make provision for a neutral person to resolve any deadlock between the partisan representatives. Payments to the benefit funds must be held in trust for the payment of specified types of benefits and there must be an annual audit of the accounts. Payments intended to provide pensions or annuities for employees must be made to a separate trust which provides that the funds held therein shall not be used for any other purpose.

some cases, doctors' bills. Dental care and medical preventive work, such as periodic examinations, are not commonly provided under these plans, although many large companies maintain these types of service.

Most of the plans include weekly disability benefits ranging from 50 to 60 per cent of an employee's regular earnings or, where fixed benefits are stipulated, from \$12 to \$26 per week. (As might be expected, the benefits tend to be higher under plans negotiated in industries having relatively higher wage scales.) The maximum time allowed for receiving benefits usually ranges from thirteen to twenty-six weeks for any one continuous disability, although several plans allow continuous coverage for fifty-two weeks. Under almost all the plans the payment of benefits commences on the eighth day of disability in case of illness, and on the first day in accident cases.

Payments for hospital services, ranging from \$4 to \$5 per day for thirty-one days, are usually allowed for any one continuous disability, but are limited to twelve or fourteen days in maternity cases or cases involving any condition resulting from pregnancy. Frequently, an additional \$25 is allowed for special hospital expenses. Payment for medical service is not commonly provided, although a few plans allow specified payments for doctors' services up to a maximum of fifty visits for any one disability; payment usually begins with the first treatment in case of accident, and the fourth in case of illness. Maximum surgical benefits under most of the plans range from \$100 to \$175, and these plans frequently furnish a schedule of surgical allowances for different types of operations. Hospitalization coverage for dependents is provided in some plans, but it sometimes entails additional contributions by the employee.

Three health and welfare programs deserve special consideration because of their methods of administration and the variety of services rendered. Those in the clothing industry are a development of a good deal of experimentation and represent a transfer from union to employer financing within recent years. The program for the coal miners represents a complete change in methods of financing and administering medical services formerly provided, as well as a great expansion in benefit features. All three are established on an industry-wide basis which permits workers to change their places of employment (within the industry) without losing their benefit rights.

Benefit Program of the International Ladies' Garment Workers' Union. The benefit programs currently in effect for members of the

International Ladies' Garment Workers' Union are an outgrowth of the union's welfare and health programs formerly financed entirely by the members. These plans include vacation payments in addition to sick benefit payments and medical services; some also include retirement and unemployment provisions, but none provide death benefits which are paid for out of the union treasury. The employer usually contributes from 3 to 5 per cent of his gross pay-roll. From a third to a half of this amount is allocated for health benefits, the rest being used to finance the vacation and retirement provisions.

The I.L.G.W.U. programs stress medical care, and the union has established health centers in most of the important clothing areas. The health center in New York City has been in operation since 1912, the one in Philadelphia was established in 1943, that in Fall River was opened in 1944, that in Newark, N. J., in 1949, and the latest, in Los Angeles, in 1951. Until 1943, the New York center⁸ was financed by local union contributions, any deficits being met by the International Union. Since then, a large part of this center's financial support has been derived from funds paid by the employers to the union under health insurance programs included in union agreements. The health center acts as an agency for the certification of benefit claims, its physicians making recommendations approving or disapproving cash benefit payments under the insurance program.

To be eligible for benefits, the worker usually must have been a member of the union in good standing for at least six months (in some cases nine months), and have no more than four weeks' dues unpaid. The usual allowances range from \$6 to \$15 weekly for from ten to thirteen weeks in any year, with payments beginning on the eighth day of illness. Hospitalization benefits are \$2 to \$5 a day, the time allowed ranging from twelve to twenty-one days. In tubercular cases, the workers are given the choice of a cash benefit payment of \$200 to \$250, or treatment in a sanatorium for the entire period of illness.

Benefit Program of the Amalgamated Clothing Workers. The insurance plan of the men's clothing union is financed entirely by manufacturers and contractors, who contribute 5 per cent of their weekly pay-rolls to the Amalgamated Insurance Fund. The resources of the fund are employed to operate the Amalgamated Life Insurance Company,

⁸ In 1949 a new \$3,500,000 Union Health Center was opened in New York City which occupies six equipment-laden floors of the twenty-six story building which is owned by the union. This center employs 148 physicians, 33 nurses, 27 technicians, 5 pharmacists, and 150 clerical and maintenance employees.

a capital-stock insurance company chartered under the laws of New York State, with a board of directors composed of union and employer representatives. This company issues policies and pays the benefits to eligible members of the union who are employed by the contributing employers.

All workers in the men's clothing industry (including learners and clerks, as well as production workers) who have been members of the union for at least six months, and who have worked for an employer at least one day in each of six different months, are automatically insured. Employees are covered as long as they are employed in any shop included in the plan, and for four months after layoff from the industry; but insurance terminates upon withdrawal, suspension, or expulsion from the union.

Benefits vary but usually include the following: payments for as many as twenty-six weeks per year for illness or accident; payments to cover hospital costs for as many as sixty-two days per year; maternity payments up to \$100; surgical benefits up to \$150; death benefits up to \$500; retirement benefits for workers reaching the age of sixty-five amounting to about \$100 a month, inclusive of the Federal pension. Three medical centers are available to members in New York, Philadelphia, and Chicago, established by joint boards of Amalgamated members and industry representatives.

Coal Miners' Welfare and Retirement Program. Because coal mining is extremely hazardous and also is performed in isolated communities, distant from normal medical facilities, it has always been necessary to have special medical arrangements for miners and their families.⁹ The customary arrangement was for coal companies to employ "company" doctors and maintain first-aid centers. However, the costs of these medical services were not borne by the company alone; there was a forced checkoff of miners' wages to pay for a portion, and in some cases all the expenses, even though the miners had no voice in the selection of the doctors or administration of the programs.

This compulsory checkoff for company managed medical services was always a major grievance of the miners, but it was not until 1946 that a change was effected. According to the contract negotiated that year by the United Mine Workers, a Welfare and Retirement Fund was established for the payment of disability, retirement and death

⁹ The need for improvement and expansion of medical services is indicated by the fact that the death rate for miners is more than 50 per cent higher than that of the general population and life insurance rates for miners are 277 per cent higher than for workers in nonhazardous industries.

benefits, financed by a 5 cent levy on each ton of coal produced. In 1947 the levy was increased to 10 cents, in 1948 to 20 cents, and in 1950 to 30 cents a ton which, under full operations, provides a Fund of more than \$130 million a year.

Payments from the Fund are in the form of pensions, disability grants, death benefits, hospital, and medical care. Miners who retire at the age of sixty who have served twenty years in the industry (not necessarily with the same employer) receive \$100 a month pensions, including their social security benefits. A death benefit of \$1,000 is paid to the dependents of every deceased miner. Disability benefits provide a maximum of \$60 per month for the disabled miner, \$20 for his wife, and \$10 for each dependent child. In case of a miner's death his widow receives a maximum of \$60 a month with \$10 for each dependent child. From all maximum allowable amounts deductions are made of money received from the government Old Age and Survivors' Insurance, Workmen's Compensation, and any other regular income.

The Fund also provides for preventive and rehabilitation programs, as well as medical care. From the Anthracite Welfare Fund a substantial grant was made to the Jefferson Medical College in Philadelphia for a five-year program of research and treatment of silicosis and other occupational diseases. Miners disabled as a result of accidents are being sent to the Institute of Rehabilitation of the New York University Medical Center. Other disabled miners are being sent to California rehabilitation centers at the Fund's expense.¹⁰ The hospital and medical program is carried out through ten regional offices strategically located in the coal mining areas. The ultimate goal is a complete program of prepaid hospital and medical care for all members and their families. Physicians and hospitals are co-operating to provide high standards of medical and hospital care at costs as reasonable as such quality of care can be had under any system.

Employer-Financed Pension Programs

A considerable number of the benefit plans provided in employer-union contracts are "package" arrangements including provisions for

¹⁰ When the Fund started, the medical staff reported there were more than 400 miners who were paralyzed from the waist down as a result of mine accidents that had literally broken them in two and severed their spinal cords. Many of these men had lain in hill cabins or in small mining camps without medical care for more than twenty-five years. (Report of United Mine Workers Welfare and Retirement Fund, May 1, 1949.)

medical service, cash benefits during sickness, and retirement insurance. More numerous, probably, are the pension plans which are limited to the payment of monthly benefits to retired employees. Since a large majority of the existing plans cover employees who are also covered by the federal program, the benefits accruing from the company plans represent additional gains.

These additional benefits take various forms, depending upon the particular type of plan in effect. Some provide that pensions shall begin at an earlier age than the minimum required by the Social Security Act; most provide for an augmentation of the government pension; an increasing number provide monthly payments to workers who become totally and permanently disabled before the normal retirement age. A majority of the privately negotiated plans specify a "normal" rather than a compulsory retirement age, with retirement at that age (usually sixty-five) at the discretion of either the worker or the management. Pensions are usually graduated according to the number of years' service with the company. Most of those negotiated with unions during recent years are financed entirely by the company, many of them specifying that a fixed amount, such as 5 or 7 cents per employee per hour worked, be laid aside by the employer for the pension program.

Typical pension programs recently negotiated by unions provide minimum pensions of \$100 (some \$125) per month, inclusive of federal old-age insurance, to employees after twenty-five years of service with the company. The benefits received are based on earnings and service. The base period for computing earnings is usually the ten-year period next preceding the month of retirement. The monthly payment is usually 1 per cent of the average monthly earnings during this period multiplied by the number of years of continuous service. Thus an employee covered by a plan providing a \$100 a month minimum pension, receives \$105 a month if his average monthly earnings in the ten-year period preceding retirement had been \$350 and he had worked for the company thirty years.

Such pension plans are now common in the steel, automobile, electrical and a number of other industries. Union preference for this tie-in arrangement with the government old-age insurance program is the inducement it gives to employers to work for the liberalization of the government program; since government payments are automatically deducted from the amounts which the employer has to pay

his retired employees, it is to his advantage to have the federal old-age insurance benefits increased. A liberalized federal social security program has the distinct advantage of benefiting the millions of workers who are unable to acquire long service records with any one employer.

Chapter 7

PUBLICITY AND EDUCATIONAL ACTIVITIES

Like a democratic government, labor unions are dependent upon an informed and loyal membership for their survival and progress. With their sprawling membership of diverse cultural and educational backgrounds, unions must ever keep their members conscious of their common core of interests and the way by which their unions can best further these interests. Even though scattered over thousands of miles, members must have a sense of unity and a feeling of loyalty and confidence in their organizations and leaders. They must know the reasons for their unions' actions and policies, for no union officers can pursue a course of action, whatever its merits, which does not have the support of the rank-and-file members.

Moreover, leadership must be developed from within the ranks of the membership if unions are to be organizations *of* workers as well as *for* workers. In the latter respect labor organizations are more like democratic political organizations than economic enterprises such as business corporations which are largely managed by persons who are not voting stockholders, or were not when first employed. Some unions employ a limited number of professional persons such as lawyers and economists as advisers, but policy and administrative functions are zealously retained by "card" members of the unions.

To meet these needs unions have always considered their educational activities to be one of their major tasks. Such activities are directed toward three major objectives: First, to keep their members informed about their unions' internal and external affairs and about general economic and political conditions which affect workers; second, to present and interpret workers' attitudes and problems to the general public; third, to provide union leaders and potential

leaders with the factual and theoretical knowledge which will aid them in administering their unions' internal activities and in their dealings with employers and the public, including government agencies.

Local union meetings and national conventions provide only a limited opportunity for the accomplishment of these objectives because they must necessarily be devoted to specific business matters. Much more effective are the journals and other literature published by the unions, and the formal educational programs which they conduct either alone or with the aid of outside educational institutions. Within recent years the radio and visual media have been increasingly utilized.

THE LABOR PRESS

Labor unions have always relied upon their own publications to keep their members informed about union activities and general matters affecting workers' interests. A few of the union journals are "trade" papers in that they are confined almost entirely to the news within their own organizations. Most of them cover a much wider field and place major emphasis on the broader interests of labor such as the progress and difficulties of the general movement, and the economic and political issues which affect union members and workers generally.

The various labor organizations are regularly publishing some 600 papers and journals, some of them monthly, many of them weekly. In a majority of cases they are distributed to all members, the price being a part of the per capita dues. The journals of a few unions are distributed through individual subscriptions; in some cases the locals subscribe for quantities which they distribute at their membership meetings. Through these various channels of distribution, it can be assumed that one or more labor papers are now being received regularly in almost 15 of the 43 million households throughout the country. A number of them are placed in public libraries where they are read by students, employers, and the general public. Since union papers naturally discuss matters from labor's point of view and in relation to what they consider to be in the general interest of wage earners, these papers frequently present a different interpretation and selection of news and events from that given in the daily press.

Labor papers emanate from three general sources,¹ namely, the various federated bodies such as the American Federation of Labor, Congress of Industrial Organizations, and the combined Railroad Brotherhoods; the National unions and some of their larger locals; city or district central bodies and state federations. In addition there are the pamphlets and other literature issued from time to time for particular purposes.

Publications of Federated Groups

The American Federationist, a monthly publication, is the official magazine of the American Federation of Labor. It is a thirty-six to forty page, glossy paper journal and appears on the public news-stands, being designed for reading by the general public as well as union members. It contains illustrated articles on subjects directly and indirectly related to the interests of workers, including labor news from foreign countries. The A.F.L. also issues a *Weekly News Service* which is a clippingsheet in tabloid format which provides the editors of all A.F.L. journals with authoritative information about A.F.L. personalities and the Federation's stand on current issues. *The CIO News* is the official publication of the Congress of Industrial Organizations. It is a twelve-to sixteen-page weekly newspaper intended primarily for C.I.O. members, containing news items about the various affiliated unions, editorials and comments on the actions of governmental agencies, legislation and political events affecting labor.

Both the A.F.L. and the C.I.O. issue monthly bulletins devoted entirely to a factual presentation of important economic problems. The former is the *Labor's Monthly Survey* and the latter the *Economic Outlook*. These bulletins, prepared by their respective research offices, are for the purpose of explaining and interpreting the impact of economic events on labor in general. Each issue is devoted to an analysis of one or two major current problems such as cost of living, proposed tax legislation, national income, employment and unemployment, wages and profits, and foreign affairs. The discussions, generously illustrated by graphs, are based on government statistical data and are essentially an interpretation of economic issues from labor's point of view. The economic analyses appearing in these bulletins are

¹ Additional publications directed to particular interests of workers are issued by groups and organizations not directly attached to the labor movement, such as co-operative associations and the Association of Catholic Trade Unionists.

widely quoted in the daily press and thus serve to enlighten the public on labor's views on current economic problems.

Within recent years the American Federation of Labor has been issuing a monthly *Research Report* which is devoted to analyses of National Labor Relations Board rulings, court decisions pertaining to labor activities, and significant provisions in recently negotiated employer-union contracts. The *Research Report* is designed for use by local union officials, to keep them aware of their legal rights and responsibilities and to help them in negotiating collective bargaining agreements. The *League Reporter*, another A.F.L. publication, serves to keep members informed on current legislative and political matters.

The weekly newspaper *Labor*, published in Washington, is the official weekly paper of the fifteen standard railroad organizations. It was launched in 1919 and is the oldest national weekly of the labor movement. Its editorial policy is determined by a committee composed of representatives from each of the railroad unions. Except on special occasions, it consists of four pages, newspaper size, with no paid advertising, being financed by its \$1 a year subscriptions. It deals primarily with matters concerning railroad and workers on railroads, although many of its news items cover other political and economic subjects.

National Union Journals

The most widely distributed publications are the journals issued by the National unions. Since most unions include the subscription price as a part of their dues assessments they are received regularly by all their members. There is great variety among the various union journals in format, size, and content. Most are issued monthly although a few are issued weekly or fortnightly. Some are in the form of illustrated magazines, some are in newspaper style, while others, especially those of the smaller unions, are four- or eight-page pamphlets. Within recent years there has been an active campaign to improve the appearance and readability of these journals. One of the primary functions of the International Labor Press Association, comprised of A.F.L. editors, is to stimulate better labor journalism. It conducts contests and makes annual awards on the basis of typography, readability, feature articles, and editorial excellence.

On matters of general interest, the National union journals use the articles and pictorial mats furnished them by their parent organizations

—the A.F.L. or the C.I.O. Included in this material are the voting records of Congressmen on legislation affecting workers in order “to guide” each member’s choice at the polls. The major portion of each journal, however, is devoted to the union’s particular activities and the occupational interests of its readers, including National and local union personal news, and articles on working conditions within its members’ trade or industry. A number of the craft union journals devote considerable space to the technical problems and new processes within their trades, thus serving to promote the skills of their members. To encourage family reading, most of them have sports and comic sections and columns devoted to household matters.

Local and State Papers

Almost every city and county central organization issues some kind of weekly paper for the members of those local unions affiliated with it. These papers serve as clearinghouses for their member locals, promote unified action on common problems within the community, and keep their readers informed on local labor matters. They also include items from the general labor press and thus are important media for reaching the rank-and-file members throughout the country. Most of them carry paid advertising to help cover the cost of publication. In addition to the local central organizations, some of the A.F.L. state federations and C.I.O. state industrial councils issue weekly newspapers or monthly journals which are concerned primarily with federal and state legislation, workers’ education, and the activities of their affiliated organizations.

Pamphlets

One of the outstanding developments in labor literature during recent years has been the increasing number of pamphlets being published by the A.F.L. and the C.I.O. and their affiliates. Most of them are prepared by the research and education departments of the organizations; they are attractive in appearance, usually illustrated, sometimes in color, and are written in language easily understood by the rank-and-file workers. Each pamphlet deals with a particular subject. Some are designed to induce nonmembers to join the union; some are to instruct new members on union and labor matters and to encourage their continued loyalty to their unions; some are prepared especially for the use of shop stewards and organizers.

The following titles, selected at random, suggest the variety of subjects covered: *American Labor Looks At the World* (A.F.L.), *The C.I.O., What It is and What It Does* (C.I.O.), *Public Relations for Labor* (A.F.L. Automobile Workers), *Something New In Union Education* (C.I.O. Textile Workers), *It's Your Union!* (C.I.O. Woodworkers), *Speaker's Book of Facts* (C.I.O.), *Democracy and the Free Labor Movement* (A.F.L.), *Pie in the Sky, A Challenge to the Negro Worker* (A.F.L.), *Better Medical Care That You Can Afford*, (C.I.O.), *Meet Your Union* (A.F.L. Teamsters), *What and Why Public Low-Rent Housing* (C.I.O.), *Labor and Religion* (C.I.O.), *The Rights of Labor, Democracy vs. Totalitarianism* (A.F.L.), *CIO's Program For Latin America*.

Audio-Visual Materials

Like many other organizations, labor unions are turning more and more to ear and eye media as educational aids. Their central offices are producing an increasing number of sound slide films, strip films, sound motion picture films and recordings, which are rented by local unions and by other groups interested in labor. Descriptions of a few will reveal their general character and purpose:

Poverty in the Valley of Plenty—a 25-minute documentary film presenting the problems of the workers in a large agricultural organization who are excluded from coverage by national labor legislation. (Education Department, Textile Workers Union of America.)

They Said That Labor Didn't Count—an 8-minute film which shows the march of 25,000 A.F.L. and C.I.O. union members in Iowa upon the State Capitol, urging political action as a method of making labor count. (Packinghouse Workers.)

Union at Work—a 24-minute sound film taken on location in the mills and homes of textile workers, in their union halls, picket lines, and around the bargaining table. (Textile Workers Union of America.)

With These Hands—a 50-minute sound film showing the birth and growth of the International Ladies' Garment Workers' Union through the story of one man who took part in the 1910 struggle to organize and whose forty years of union membership give opportunity for showing various facets of union activities, including welfare and recreational programs. (International Ladies' Garment Workers' Union.)

Brother John—a 10-minute sound motion picture showing a union member who is not interested in attending union meetings and what he

is missing by not participating in union activities. (United Automobile Workers.)

Making the Union Click—a 15-minute strip film demonstrating techniques that may be used to build up a strong union membership and get out attendance for union meetings. (A.F.L. Workers' Education Bureau.)

PUBLIC RELATIONS

In spite of the extensive press activities of unions, many persons inside and outside the labor movement feel that much remains to be done in the way of educating the general public concerning the policies and methods of labor organizations. Discounting deliberate partisan bias and personal prejudices, a great deal of the misunderstanding about unions is due to the simple fact of being uninformed,² and organized labor faces a serious problem in getting its story across to the public through the ordinary channels of communication—the schools, press, and radio.

Much of the lack of knowledge and understanding on the part of the public, as well as the members of the unions, is attributable to the public schools, many of which have not accepted or responded to the fact that labor organizations are an integral part of the nation's industrial life. During recent years an increasing number of colleges have introduced "labor" courses into their curriculums, and a number of the larger universities have established departments or centers for teaching and research in employer-labor relations. At best, however, these reach only a small segment of the general population. Relatively few secondary schools include studies on labor unions and labor problems in their curriculums although most of the youth attending these schools will enter industry as wage earners and will have to face the question of their personal relationship to labor unions.

This omission stems largely from the composition of the teaching staffs and administrative boards of the schools. Most elementary and

² A poll conducted by *Fortune* magazine which asked numerous questions about labor unions concluded: "About 2/5 of the public is wholly unequipped to have any opinions about labor unions and only 1/4 really know enough to be intelligent on the subject." Over 56 per cent of the persons interviewed in this poll did not know who the A.F.L. president was and 76 per cent could not give the name of the C.I.O. president. (*Fortune*, February, 1942, p. 98-100.)

high-school teachers are from professional, business, and farm-owner families, and few have had any opportunity or need to learn about the problems of industrial wage earners through personal experience; only a handful have acquired vicarious familiarity through the college classroom. Similarly, the boards of education which determine the kinds of courses offered and textbooks used, are composed largely of men and women whose background and experience have given them little intimate awareness of the impact of economic forces on the great mass of industrial workers.

As with the general public, most editors and radio commentators are products of educational systems which have taught them little about the problems of workers and the unions to which they belong. Moreover, newspapers and broadcasting systems are business enterprises and are naturally psychologically attuned to employer attitudes, as well as economically dependent upon the good will of other business enterprises. Although radio advertising is ostensibly for the purpose of publicizing commodities, in the ears of the listeners it also becomes good will propaganda for the company furnishing the program. The millions of radio listeners to a corporation-sponsored weekly symphony hour unconsciously grow to feel that the company's internal affairs and employee relations must be as happy as the radio programs are enjoyable!

In addition to the indirect means for building up good will through company advertising, business benefits from the public relations programs conducted by their trade associations and such organizations as the National Association of Manufacturers and the Chamber of Commerce. Even though educational institutions and radio networks were equally willing to utilize the material made available by organized labor, neither the individual unions nor their affiliated bodies have sufficient funds at their disposal to undertake such comprehensive public relations programs as, for example, the National Association of Manufacturers which spends huge sums every year on publicity programs extending into the schools, press, motion pictures, and radio throughout the country.³

³ The N.A.M. has a carefully prepared program for extending its contacts, personal and written, with school administrators, school teachers and students in all sections of the country. It has prepared electrical transcriptions which it provides free of cost to hundreds of radio stations, and thousands of newspapers, especially small-town papers, use its Industrial Press Service, a weekly clip-sheet which includes news articles and cartoons. It also sponsors, in communities all over the country, "face-to-face conferences between local business-

Labor's Public Relations Activities

Knowing they could not compete with the ambitious public relations activities conducted by industry, some unions in the past assumed a defeatist attitude and made no attempt to "sell" themselves beyond their own membership and potential membership. Within recent years organized labor has taken positive steps to explain its policies to the general public and to counteract misrepresentations. Union leaders are showing an increased willingness to talk to groups of students, women's and businessmen's clubs and church groups, and to participate in radio forums. Although neither the A.F.L. nor the C.I.O. have elaborate public relations departments comparable to those of many large corporations, they maintain informational services whose function is to provide labor news to the press and radio and "to obtain a fair break for labor under the handicap of the obvious antilabor bias of existing news media."⁴

Of great value to labor is the free time which the major radio networks have assigned to the A.F.L. and the C.I.O. as a public service. Through these 15- or 30-minute programs organized labor has an opportunity regularly to make its voice heard over the national hook-ups. Some of the series are round-table discussion programs, some in interview form, and some are talks by individual speakers on current labor news. In addition to the free time, the A.F.L. for the past several years has purchased time from numerous stations for evening broadcasts at an annual cost of three-fourths of a million dollars. The commentator employed for these broadcasts presents the general news of the day similar to other "liberal" commentators, with no special emphasis on labor news, but the A.F.L. uses the few moments of "commercial" time at the beginning and end of each program to publicize its activities and viewpoints.

Community Service Activities

One of the most significant aspects of labor's new status is the silent revolution which has taken place during the last decade with respect

men and opinion molders" in such fields as education, church, agriculture, and women's groups. It publishes a series of illustrated pamphlets adapted to classroom use which are distributed free of cost in bulk quantities to schools and to libraries, women's clubs, ministers, etc. It has also produced a number of motion-picture films which it loans without charge to schools and parent-teacher groups for the purpose of "interpreting civic, economic and social studies."

⁴ American Federation of Labor 1950 Convention Proceedings, p. 245.

to union participation in local community services. In earlier days the labor movement remained aloof from social welfare activities, considering them a form of charity whereby the well-to-do, in a paternalistic manner, assuaged their consciences by "helping the deserving poor." The aloofness was two-sided; community service agencies did not feel it necessary or desirable to have labor participation, and if labor had sought participation would probably have opposed it as a matter of principle. Workers were asked for contributions, through their employers, but administration of the services was limited to the large donors—and their wives.

A radical change has taken place during very recent years, stemming from the belief that the "consumers" of these services—among which workers are a major portion—should take an active part in the policy-making. This change in attitude from labor's dour hostility to eager participation, and from the agencies' dependence upon largesse and fear of labor to eager solicitation for its assistance, is a dramatic indication of labor's newly won status. Unions, formerly ostracized from the community life, are now accepted as a legitimate functional group in the social structure of most industrial cities.

The change has taken form in two concrete ways: the method by which workers' financial contributions are made, and worker representation on community service boards. In the past, fund-raising among workers was largely a "shake-down" affair whereby a foreman brought pressure upon the workers to make donations which were then announced as coming from the company. Today the unions conduct the fund-raising drives in the plants and share the credit for the money raised. In other words, the principle has been accepted that employees' gifts should be credited to their unions rather than their companies.

On the Community Chest staffs of most of the cities there are now one or more union persons employed full-time, acting as liaison between the social agencies and the unions, helping on the fund-raising committees and the planning of the programs. Throughout the country there are thousands of union members serving on the local boards of the various agencies—the Scouts, the family service and public assistance agencies, the Red Cross, and many others. Union participation in these local activities is put into effect through the A.F.L. Central Labor organizations and the C.I.O. City Industrial Union Councils, and has become one of the major functions of these central federations.

Union co-operation in community services has many by-products for both union members and the community. It provides an opportunity, in some places the sole opportunity, for union members and citizens from other walks of life to learn to know each other and to discuss matters outside the controversial area of employer-employee relations. Through the mutual exchange of viewpoints, the needs and attitudes of the recipients of community services can be presented first-hand so that programs are no longer planned unilaterally by the "substantial" donors on their preconceived notions of what is good for the recipients. For the union member who hitherto has felt isolated from the mainstream of community life, participation in the programs affords him the broadening experience of learning about his community and the social and economic problems of groups outside his own workplace.

EDUCATIONAL ACTIVITIES

Organized labor has always been vitally concerned with programs to further educational opportunities for both youth and adults. It was largely through the efforts of early workingmen's associations that a tax-supported school system was established in this country during the first half of the nineteenth century. With the general adoption of public education, organized labor has been concerned with extending its benefits to an ever-widening group. To that end it has opposed child labor and favored compulsory school attendance, and has sponsored evening classes in the public schools for employed adults. The enactment in 1917 of the Smith-Hughes Act for vocational training under a system of federal grants-in-aid to the states was a culmination of a decade's effort on the part of organized labor. During recent years labor has actively supported the general principle of providing federal support for equalizing educational opportunities throughout the country and for raising substandard levels in the poorer states and in rural areas. While labor believes that the control of education must be left to local communities, it is convinced that federal financial assistance is necessary to obtain adequate educational standards throughout the country.

In addition to supporting efforts for the improvement of the public school system, organized labor conducts, or participates in, various

kinds of educational programs designed especially for its own members. These are of two general types—vocational programs for the training of apprentices and improving the skills of older workers, and so-called “workers’ education” which is concerned with providing a better understanding of economics and labor problems and the development of proficiencies in the conduct of union activities.

Apprentice Training

Most of the craft unions in the metal, printing, and building trades have always considered the training of apprentices to be one of their major functions. There are several reasons why these unions have been willing to assume this responsibility instead of relying upon the employers for the training of new workers. The unions’ ability to guarantee employers a sufficient supply of competent, skilled workers has helped them in their collective bargaining; by establishing fixed training rules and procedures, the unions are able to maintain those skill and job standards which they consider of prime importance; formal apprenticeship provides a means to guide the intake of workers into the trades.⁵

While apprentice training programs rely chiefly upon learning on the job, all formal training systems include supplementary classroom or other off-the-job instruction. In former years a number of the unions undertook classroom instruction for their apprentices but this was seldom satisfactory because of lack of equipment and competent instructors. With the development of vocational schools as a part of the public-school system, the classroom and laboratory training of apprentices has been largely taken over by the vocational schools which work in close co-operation with the local unions and employers. The usual plan is for an indentured apprentice to spend at least one day a week at school; by the end of his apprenticeship he has not only learned a skilled trade on the job but has received sufficient general education to secure a high-school diploma. In many communities the principal of the vocational school is in effect the director of apprentice training, under the plans and procedures sponsored by joint committees of

⁵ During periods of expanding employment it has sometimes been charged that scarcity of skilled workers was due to union restrictions and rules for admittance to apprentice training. Impartial studies indicate, however, that the chief factor was employers’ reluctance or inability to undertake the expense and provide opportunities for learning on the job during the preceding depression periods. Also actual shortages of skilled workers in any trade are normally confined to short-time employment periods in particular areas.

unions and employers concerned with the particular trades taught.

To stimulate and promote apprenticeship under acceptable standards and under the safeguards and protections of formal indenture agreements, a Federal Committee on Apprentice Training was established in 1934, composed of union, employer, and government representatives with a full-time staff financed by federal funds. Most of the states have established joint apprenticeship councils and many cities have joint local committees to develop and supervise the local programs, using the federal standards as a guide. Thus the unions actively participate in the apprentice training programs at all levels.

Advanced Training

Owing to ever-changing processes and improvements in machinery and materials, completion of the best kind of apprentice training is no guarantee of continued competency, and those unions which have assumed the responsibility of providing skilled workmen for employers have had to face the problem of keeping the skills of their journeymen members up to date. Most commonly this has been accomplished by arrangements with individual employers whereby journeymen versed in old methods are given an opportunity to learn to operate the new machines after they are installed in the plant. In a number of instances unions have undertaken or promoted more formal programs. In 1944 the Brotherhood of Electrical Workers sponsored a program for the training of members in the operation and maintenance of electronic equipment by arrangements with the Engineering College of Marquette University. The Brotherhood financed six weeks' resident courses for about 700 members who in turn became instructors in night classes conducted by their locals for other members having a need and desire to learn the new technology. In 1951 the St. Louis Plumbers and Steamfitters' local obtained an agreement from the contractors whereby the latter contribute the equivalent of 5 per cent of their pay-rolls to support a school for steamfitters to learn new techniques of their trade. Local 3 of the Brotherhood of Electrical Workers has an arrangement with a number of New York City electrical contractors to finance several scholarships each year for sons of union members to study engineering at Columbia University.

The printing unions provide an outstanding example of continuing programs for advanced training and technical research, as well as courses for apprentices. Not only do colleges and vocational schools

use the texts and materials prepared by the educational bureau of the International Typographical Union, but the bureau also conducts correspondence courses for its enrolled apprentices. The Printing Pressmen's Union owns and operates what is probably the largest technical trade school for printing in the world. This school conducts correspondence courses for apprentices and provides facilities for journeymen members who wish to qualify for better positions by learning the most modern letterpress and offset processes.⁶ The union's journal, *The American Pressman*, which is printed at the school, is a model of good printing and contains a great deal of technical information designed to improve the skill and knowledge of its readers.

WORKERS' EDUCATION PROGRAMS

"Workers' education," as commonly used, is not a generic term but has a specific connotation. It is a special kind of adult education designed to give workers a better understanding of their status, problems, rights, and responsibilities as workers, as union members, as consumers, and as citizens. Workers' education places emphasis upon group advancement and the solution of group problems, and thus differs from vocational and professional education which is primarily training for individual advancement. Cultural and recreational features are frequently included, but these are periphery to the central theme of workers' status and problems in the shop, in the local community, and in the world situation.

Content of Workers' Education

Workers' education is inextricably bound up with that of the labor movement, and as the labor movement has assumed an increasingly expanded role, workers' education has likewise broadened its approach to cover the wider interests of workers and their group activities. While it seeks to prepare organized labor to take its place in industrial society and to participate in every aspect of social and political life, it nevertheless stresses workers' actual and concrete needs as trade unionists. The hub of its program is collective bargaining—the skills needed and the milieu in which it takes place, the judicious use of collective power, its significance for workers and its relation to our democratic processes.

⁶ The technical trade school was established in 1912 and is located at the Printing Pressmen's Home at Knoxville, Tenn.

Specifically, the content of workers' education programs is built around a core of economics and political science, labor history and the philosophy of the labor movement, union administration, collective bargaining, and such tool subjects as parliamentary law, English, and public speaking. The subjects are not taught, however, in the customary academic manner. Instead of formal lectures, the workshop and discussion methods are used in the classroom. Whatever the title of the course, the subject is approached from the actual experience of the worker-students, being directed toward giving them a background for deeper understanding of their situation and problems rather than merely extending their knowledge.

Increasingly, workers' education programs have become more functional, built around an interpretation of specialized problems or "burning issues," and closely interrelated with programs for action. A study of labor legislation, for instance, will be focused on the specific effects of pending or recently enacted legislation and what organized labor should do about it. A course on race relations will deal with the realities of race discrimination in the shop and how prejudices can be dealt with on the job and in the immediate community. The study of collective bargaining will begin with a particular industry and union situation and from there proceed to the study of wage theories and general economic principles. All programs are extremely fluid, being continuously adapted to the particular group's needs at any given time.

Groups Served

Workers' education programs are designed for both rank-and-file members and for union leaders or potential leaders. For members generally, it serves the twofold purpose of increasing their bonds of loyalty to the union and helping to make them intelligent, informed trade unionists. After a union is well established, the enthusiasm incident to getting recognized is likely to wane and the rank-and-file member tends to accept his union as his "hired agent" for getting him better wages and coming to his aid when he is in difficulty with his employer. To counteract this limited conception of the function of trade unionism, unions must engage in other activities than those immediately related to the job situation, such as educational and recreational programs. The mere act of attending classes in the union hall, or elsewhere under the aegis of the union, brings members closer to their union and strengthens ties of group loyalty.

Sustained loyalty is dependent upon more than emotional enthusiasm, however, and it is the purpose of workers' educational programs to give members an understanding of the *why* of the trade union movement, how unions developed, their present legal and economic status and, more particularly, a knowledge of the members' own unions. This is especially important in the case of younger persons now entering industry who have not learned from personal experience the struggles of getting organized in the face of overwhelming difficulties. A few unions require all new members to take "orientation" courses on the theory that just as one cannot be a good and loyal citizen without knowing something of the history and ideals of one's country, so one cannot be a good trade union member without knowing something of the history, ideals and struggles of the labor movement.

Historically, workers' education started with the worker at the bench and it has continued to enlist the rank-and-file members, but during recent years its major emphasis has been directed toward union leaders—leaders at all levels from shop stewards, local officers and staffs, to the national organizers and administrators. These programs are as varied as are the activities of the unions themselves, and they are developed to meet the concrete needs and problems which labor leaders face in their daily tasks. There are programs built around the immediate problems of shop stewards and committeemen whose major responsibilities have to do with internal shop activities, such as methods for handling grievances, job evaluation, and time and motion study. For officers and staff there are courses of study in the techniques of collective bargaining, how to conduct union meetings and make them more interesting, how to improve union bookkeeping and news writing and reporting. Other programs deal with more general matters, to meet the need for understanding labor laws and labor board procedures, the economics and operations of the particular industries in which the unions function, and to prepare union leaders to take part in community affairs and to learn to be effective politically, and to gain some knowledge of international and national affairs.

Sponsorship of Programs

Workers' education is carried on under the auspices of many groups and exists in many forms. There are week-end institutes, short and full-year series of evening classes, and resident summer schools with sessions varying from one week to as long as eight weeks. Most of the

programs have been developed by the unions themselves although some are conducted by other agencies working closely with the unions. No less than forty unions have directors of education in their national offices; some unions have regional directors, a number of state bodies have full-time educational directors, and some of the larger locals have education chairmen and several have paid directors. The National office of the C.I.O. has a Department of Education and Research and the A.F.L. has a Department of Education. The latter, until it became an integral part of the functional structure of the A.F.L. in 1950, operated as the Workers Education Bureau.

For many years several organizations not directly attached to the labor movement sponsored or assisted workers' educational programs, the most active being the National Women's Trade Union League⁷ and the Young Women's Christian Association. During the 1930's the W.P.A. maintained a Workers' Service Program which functioned in some thirty-five states and included a program for teacher training to provide leadership for workers' education projects. More recently a number of universities, both private and tax-supported, have established programs in co-operation with union groups.

Assistance and guidance to unions and other groups in the planning and conducting of educational projects is provided by the American Labor Education Service, a national membership organization with headquarters in New York City. The A.L.E.S. serves as a consultant to educational directors, furnishes bibliographies of teaching materials, and suggests names of possible teachers. One of its continuing interests is that of developing methods for evaluating worker education programs, improving teaching techniques, and finding new program resources.

Early Experiments

The earliest worker education programs were evening courses conducted by local unions, although the classes were frequently held in the public schools and libraries. They were developed initially to meet the needs of foreign born workers and others who had had little previous education. During the first World War and the early 1920's, a number of national unions and state federations developed more extensive programs, one of the pioneer efforts being those of the Inter-

⁷ The Women's Trade Union League was established in 1903 as a fraternal organization within the A.F.L. It included women outside the labor movement as well as union members, its major activities being the promotion of protective legislation and education for women workers. It was dissolved in 1950.

national Ladies' Garment Workers' Union. The earliest summer schools were for women workers, some of whom were union members but many not. The first of these was the Bryn Mawr Summer School which opened in 1921 for the purpose of bringing about a closer relation between the college and women in industry. (In 1939 this school became coeducational and was reorganized under the name of the Hudson Shore Labor School.) The University of Wisconsin School for Working Women was started in 1925 and a few years later a similar summer school was opened at Sweet Briar College which was attended by young women employed in southern tobacco and textile mills. The expenses of the young women attending these summer schools were provided by various women's groups and socially minded individuals.

Entirely different in program and sponsorship were the Brookwood Labor College, established at Katonah, N.Y., in 1921, and the Commonwealth College, founded at Mena, Arkansas, in 1923. These were year-round resident colleges offering two-year courses for men and women for the express purpose of training them for union leadership. Brookwood was originally partially supported by the American Federation of Labor. Commonwealth was never directly supported by the labor movement; it was located on a farm and was operated on a co-operative basis with the students working on the farm to supplement the donations made by outsiders. The original sponsors of both these schools stated that they were not to be propagandist institutions but within a few years Communist influence became evident. The labor movement and their other sponsors withdrew their support and both schools declined and finally closed—Brookwood in 1937 and Commonwealth three years later.

Current Year-Round Programs

Currently, throughout the country, individual unions and federated groups are conducting labor education programs in the form of periodic evening meetings or series of classes, and week-end institutes which are open to all members who care to attend. Many of these programs are conducted in conjunction with the extension services of state universities and with private colleges which provide the teachers.⁸ Most generally, the administrative costs are borne by the universities, with student

⁸ The earliest extension service in workers' education was inaugurated in 1931 at Rutgers University in New Jersey. Among the private institutions, the Catholic colleges are especially active. Their programs and basic principles stem from Papal Encyclicals on the Social Order, and the ethical basis of labor relations is central in all their teaching.

fees defraying the actual cost of instruction. A few unions are conducting specialized projects with no assistance from outside. For example, in 1950 the International Ladies' Garment Workers' Union established a full-time day school for a limited number of young men and women to prepare them for a career in union service as business agents, organizers, administrators, and work in union research and education. The term of attendance is twelve months, about half of which is spent at union headquarters in technical training and half in field assignments where they get firsthand knowledge of plant and local union operations. Another example is the steward training program conducted jointly by the two unions in the paper industry. Under the direction of the national unions, regional conferences are held to give selected local officers training as instructors. These instructors in turn conduct classes for stewards in the local unions, being assisted with teaching materials and other help from the education staffs of the national unions. The courses are not planned to teach stewards what to do, but to help them articulate for themselves the procedures, principles, and policies which are a necessary part of good steward performance.

Outstanding state-wide programs are those conducted by the Michigan State C.I.O. Council and the Kentucky State Federation of Labor. Both these state bodies conduct week-end institutes in various cities within their states which have been attended by thousands of members. In conjunction with the United Automobile Workers, the Michigan C.I.O. Council also conducts one-week institutes in leadership training at the Franklin D. Roosevelt Labor Center.⁹ Each year the Kentucky Federation of Labor holds a two-week Labor School on different state college campuses which are attended by about seventy-five members coming from all parts of the state. The programs in both states cover many areas of study, including political education, co-operatives, labor legislation, union counseling, leadership training, and public relations.

Entirely different from these union conducted projects is the training program for union leadership at Harvard University. This is a thirteen-weeks' resident program under regular instructors of the university.¹⁰ Persons who attend, a dozen or so each year, are selected by various unions from among their own membership. They are usually

⁹ This headquarters for union activities located near Port Huron, Michigan, was purchased by the State Council with contributions from C.I.O. members throughout Michigan.

¹⁰ Until 1948 it was a nine-months' program but unions found it difficult to provide leave periods and fellowships for such a prolonged period.

mature men and women who have served in some capacity in their unions and wish to qualify for greater responsibilities within the labor movement. The seminar discussions are based on actual situations rather than textbooks, the material used being transcripts of arbitration proceedings, employer and union briefs submitted at negotiations, case materials collected from plant visits, as well as the experiences presented by the students.

Summer Schools for Workers

Scattered over the country are a number of schools which regularly conduct resident summer institutes for workers. Some are for the workers within a geographical region; a few are for persons employed in particular occupations. There are the White Collar Workshops (formerly The Summer School for Office Workers) conducted each summer which are attended by office and professional workers from many sections of the country and from various industries and government services. The Highlander Folk School, founded in 1932, is located on a 200-acre farm in Grundy County, Tennessee, and conducts successive one-to four-weeks' resident sessions throughout most of the year, as well as a field program of institutes and weekly classes in various localities throughout the South. The school attracts both agricultural and industrial workers; its purpose is to develop local leaders from labor, farm, and sympathetic nonlabor groups, who can contribute to the progressive movement in the South.

The most outstanding development in workers' education during recent years has been the increase in summer schools for workers established at state university centers. They reflect the new status which labor has come to occupy and the new recognition by tax-supported universities of their responsibilities to serve all groups in the community. State universities in this country traditionally have been concerned with providing educational services to businessmen and farmers to aid them in the solution of their individual and collective problems. In purpose, a School for Workers can be considered parallel to a School of Agriculture or a School of Commerce, but recognition of this has come only recently and partially.

The University of Wisconsin was the pioneer. Its Summer School for Women Workers became coeducational in 1928 and was later reorganized and expanded into the present Wisconsin School for Workers. Other outstanding summer schools conducted at university centers are

those at Penn State College and at the University of California, both at Berkeley and Los Angeles. The arrangements and administration of these university programs differ somewhat but all have common features. Typically, the summer programs consist of series of one-or two-week resident institutes. Some of the early programs consisted of a single six-week session, but the shorter institutes now prevail since most workers cannot leave their jobs for extended periods.

Each institute is planned in co-operation with a particular union and attended by members of that union. This arrangement makes it possible to vary the subjects taught according to the interests of each group for which the particular institute is set up. Some of the Schools also have "general" institutes which are open to interested persons outside the labor movement, for example, church and other community leaders, and for visiting union representatives from foreign countries. Teaching staffs are drawn both from the universities' regular faculties and from the outside. Tuition charges are moderate and some unions provide scholarships to enable their members to attend.

Students attending these summer schools live in the college dormitories, enjoy the recreational facilities of the campus, and have the opportunity for informal "bull" sessions among themselves and with the faculty. The resident feature of these schools is their unique attraction; to the worker from industry the week or two weeks he spends in a summer school on a university campus is not just a series of classes but a total inspirational experience which is long remembered.

PART FOUR

Unions and Employers

Chapter 8

COLLECTIVE BARGAINING

The primary purpose of labor unions is to negotiate with employers for the purpose of establishing the terms and conditions under which their members shall be employed. The employer-union agreement represents the consummation of these negotiations. A bilaterally signed agreement indicates that civil rights have been introduced into industry and that the personal, one-sided rule of managers has been replaced by rules and terms in whose making all concerned have had a voice.

A mutual agreement entered into by an employer and a union, like other contracts, is an expression of the various rights, duties, and privileges of those covered by the agreement. On the employee side, the contracting party is the union which a majority of the employees have chosen to represent them. While no law requires employers and employees to agree on any particular terms, once they have reached an understanding the union may require the employer to incorporate the terms in a written agreement. The National Labor Management Relations Act makes it an unfair labor practice for either the union or the employer to refuse to bargain collectively, once the employees' representative agency has been certified, and defines bargaining to mean "the mutual obligation . . . to meet at reasonable times and confer in good

faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party. . . . " Such agreements are enforceable in the courts like any other contracts.

The manner in which agreements are negotiated, the variety of subjects covered, and their substantive contents vary greatly between industries and within any industry, for the process and results of collective bargaining are necessarily influenced by many factors—general economic conditions, as well as the situation of a particular employer, his attitude toward the union and collective bargaining, the strength of the union and the ability of its negotiators, and the desires and determination of its members.

Regardless of their specific terms, all employer-union agreements include two fundamental features, namely, the substantive provisions covering work conditions and the status of the union, and the rules of procedure for settling questions or disputes over the interpretation and application of the terms of the agreement. The latter are of major importance because no formalized body of regulations can cover the minutiae of day-to-day work conditions or forestall varying interpretations when applied to specific situations. Furthermore, business is a dynamic process; hence contingencies arise which could not be foreseen at the time the agreement was signed.

The machinery provided in union agreements for the settlement of grievances and disputes is discussed in the next chapter; here we are concerned with the process of the negotiation of agreements and their substantive contents.

THE BARGAINING UNIT

The unit of bargaining has a direct influence on the degree of standardization of wages and working conditions within an industry or area. Whether collective bargaining takes place between individual employers and local unions, or through associations of employers to cover large segments or an entire industry, very largely determines whether the terms of employment are uniform or dissimilar. Standardized wage rates (or other matters involving costs) tend to be what the marginal

employer in the industry can afford, and there are advantages and disadvantages to everyone concerned in having a uniform level throughout the industry, or variations based on individual employers' ability to pay.

The policy of a union and of the employers in any industry with respect to the bargaining unit may vary from time to time and from area to area. Among the factors which affect the union's policy regarding bargaining with an individual employer or on a wider basis are the strength of the union, the number of employers and the degree of centralized control in the industry, the size of the establishments and their proximity to each other, and their relative prosperity. If a few employers are especially prosperous, the union may wish to bargain with them separately and use these agreements as a vanguard for negotiating agreements elsewhere in the industry as conditions warrant.

The willingness or reluctance of employers to bargain collectively on a wide basis depends largely upon their competitive situation. If labor costs are an important factor in selling costs, the employers who are paying relatively high wages may wish to have the entire competitive market under the same or similar agreements. On the other hand, some employers consider it advantageous to pay better than prevailing rates in order to be able to attract the best workers, and therefore do not welcome standardized wages even though they would entail no advance in their own rates.

In general, unions are more favorable to bargaining on an industry-wide basis than are employers, and the tendency in recent years is in that direction. Unions feel that united action throughout an industry will result in generally higher standards than could be obtained through piecemeal bargaining with individual employers. Some employers, on the other hand, are opposed to industry-wide bargaining in principle and in practice. To them it appears to be one more step away from individual plant control and the intercompany distinctions which promote competition. Many of these same employers, however, have also expressed opposition to a firm's paying higher than the prevailing rates "just because it is more prosperous than its competitors and can afford to do so."

Bargaining with Individual Employers

In spite of the current trends toward wider bargaining units, most of the agreements now in effect are made in the name of a single company

and the local union to which its employees belong. If all the employees in a plant belong to a single local union, one agreement results. If, however, the employees are organized into separate unions according to craft or occupation, each union may either sign a separate agreement with the employer or jointly negotiate and sign a single agreement. Joint bargaining on the part of craft unions may strengthen the bargaining power of the individual crafts and from the employer's point of view eliminates the necessity for extended negotiations with several unions, each of which represents only a portion of his employees.

In the case of large corporations with a number of plants, the various local unions may sign jointly with the central office of the corporation. In this way, a single agreement may cover plants in widely separated geographical areas. Even when each local union negotiates separately with each plant management, the substance of the various agreements for all the corporation's plants may be similar. In the case of multiplant corporation and industry-wide agreements, the national office of the union may take a prominent part in the negotiations. Generally the corporation-wide agreement establishes the relationships of the parties, the general wage levels, and the machinery and procedure for further negotiations. Many subjects, including individual wage rates, are then negotiated locally between the various plant managements and the local unions.

Industry-Wide Bargaining

There are only a few instances of formal industry-wide bargaining in this country, although what approximates it obtains in a number of industries. A necessary corollary to such a bargaining unit is a wide degree of organization among both employers and employees throughout the industry. Until recent years few industries were widely unionized, and in only a few industries were most or all the employers members of employers' associations.¹ Instances of industry-wide bargaining which have been in effect for many years are found in the pottery, glass (except several of the largest companies), wallpaper, and elevator manufacturing industries. Even in these industries, however, wage rates are sometimes negotiated locally.

In anthracite mining a single agreement is signed to cover all mines, and in recent years the equivalent of industry-wide bargaining has

¹ The employers' associations with which unions negotiate are usually not the regularly established trade associations which deal more with marketing, public relations, style problems, etc., than with labor relations.

existed in bituminous coal mining, where the separate agreements expire on the same date. Once the terms for the most important producing areas have been agreed upon, the other districts proceed to sign agreements with virtually identical general terms but with specific wage rates that are adapted to local conditions.

The traditional bargaining unit in railroad transportation is the individual railroad company or system, with each of the operating crafts (trainmen, engineers, etc.) negotiating separate agreements with the various systems, and the maintenance employees (shop crafts)⁷ negotiating joint agreements with each system. Although the agreements continue to be signed by each railroad system, during recent years it has become the practice to negotiate major questions of wages, vacation allowances, and general working rules on a national scale.

Several factors have promoted or encouraged industry-wide bargaining within recent years. The gradual expansion and increased strength of labor unions have facilitated their ability to obtain a larger unit basis, and at the same time have induced employers to unite for mutual protection in their dealings with the unions. Another influence was the government's wage program during World War II which directly and indirectly tended to establish uniform terms of employment within an industry or at least within an area.

One of the basic provisions of the Wage Stabilization Program during the second World War was the removal of "inequalities" in wages within industries and areas in order to reduce labor turnover and eliminate competitive bidding for workers. More important than the leveling of specific wage rates was the change in the pattern of collective bargaining resulting from the operation of the stabilization program. Both employers and unions found it feasible to centralize their research facilities and employ "experts" to present their cases when wage adjustments were subject to complicated formula, and applications for changes had to be accompanied by detailed factual data, and perhaps oral hearings at Washington. It became the tendency to talk and negotiate in terms of industries rather than of individual concerns.

This was exemplified in the steel industry where disputes were presented to and settled by the National War Labor Board either on an outright industry-wide basis or for important segments of the industry, with the understanding that the remainder of the industry would also accept the awards. This also took place in the shipbuilding, meat-packing, automobile, and other industries.

The maritime industry presents a vivid illustration of the evolution of industry-wide bargaining as a result of union pressure. During the period between the two World Wars when there was no effective unionization, each shipping company and longshore contractor established its own rates and terms of employment. But the new unions which were organized during the 1930's insisted upon dealing with employers on a port-wide and later on a coast-wide basis. In 1946 virtual industry-wide bargaining was effected when the C.I.O. maritime unions formed a Committee for Maritime Unity and, after a threatened general shipping strike, obtained a settlement covering all their members on all three coasts. (The agreement, however, did not cover A.F.L. seamen or C.I.O. seamen on the Great Lakes.)

During the early stages of discussion on what became the Taft-Hartley Act, many Congressmen voiced approval of an outright ban on industry-wide bargaining. Later, when these Congressmen discovered that many employers favored bargaining on an industry-wide, or at least a regional, basis, the question of prohibition of industry-wide bargaining was dropped. As finally passed, the Taft-Hartley Act makes it an unfair labor practice for a union "to restrain or coerce . . . an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances." This restriction, in effect, prohibits a union from forcing an employer to bargain through an employers' association if he chooses to bargain separately, but it does not prevent multiple-employer bargaining if the employers so desire.²

² Congressional desire for legal restrictions against industry-wide bargaining was largely a reaction against the general coal strikes which were taking place at that time; Congress felt that if agreements had to be negotiated separately it would obviate general shutdowns in the industry. Paradoxically, when the first coal agreement after the passage of the Act was being negotiated in 1948, President Lewis of the United Mine Workers refused to allow the Southern Coal Producers Association to participate in the joint conferences with the rest of the industry. Invoking the above cited clause in the Taft-Hartley Act disallowing union coercion of employers in their choice of bargaining agent, the National Labor Relations Board obtained a court injunction compelling the United Mine Workers to bargain with the Southern Producers in order that the industry-wide negotiations could proceed.

During the prolonged coal dispute in 1949-1950 when John L. Lewis was unable "to break down the resistance" of the operators' association, he began to bargain on an individual employer basis and was able to sign up a number of the smaller coal operators. When the dispute was finally settled the large and small operators were as anxious as was the union to preserve the industry-wide bargaining structure, with the result that a national wage contract was signed in March, 1950.

Bargaining for Geographical Areas

When a number of companies in an area who are engaged in the same industry have signed agreements, a frequent development is the formation of an employers' association to represent the unionized firms in that area and industry. This has been the development of collective bargaining relations in the various branches of the clothing industry in the major centers. In this industry, when an agreement is entered into by an association of employers on behalf of its members, the agreement generally specifies that the terms are applicable to all the association's members. Some agreements, however, provide that terms are binding only upon the members who ratify it or who authorize the association to enter into such an agreement. There may be a requirement that the union shall be furnished a copy of the authorization or of the names of the companies ratifying the agreement, in order that it may know which employers are bound by the terms. Resignation, suspension, or expulsion from the association usually does not relieve an employer from his obligation to abide by the agreement.

In the men's and women's clothing, men's hats and millinery, and fur industries, there is highly developed industrial relations machinery in each of the metropolitan areas which are important as producing centers. These unions and employers' associations customarily make use of permanent impartial chairmen to administer the agreement. In addition, joint trade boards, stabilization commissions, and other similar union-management bodies are frequently established to deal with particular problems that arise from time to time. The employers in a given city are usually organized into more than one association within each of the garment industries. The basis of distinction is both the price line of the product and the classification of employers—that is, jobbers, contractors, inside manufacturers.

In the hosiery industry a bargaining relationship of several years' standing exists between the Full-Fashioned Hosiery Manufacturers and the Federation of Hosiery Workers. The employers' association, originally covering only Philadelphia mills, now covers a major part of the northern section of full-fashioned hosiery manufacturers. In the textile industry there are association agreements between the Textile Workers Union and the silk and rayon mills in the Paterson, New Jersey, area. A joint arrangement of longer standing exists for the dyeing and finishing of textiles in nonintegrated mills.

The pulp and paper industry, though dealing elsewhere on the basis of individual companies, in the Pacific Northwest is combined into the Pacific Coast Association of Pulp and Paper Manufacturers, which deals with the two paper unions jointly. The dominant method of bargaining in the organized section of the lumber industry is through employers' associations in a producing area. For intercity trucking, the Teamsters Union usually negotiates with employers' associations whose operations cover several states; one of the largest is the Midwest Agreement, which covers over-the-road hauling in twelve North Central States.

In many other industries and trades characterized by numerous small establishments within a city, collective bargaining has been conducted with associations of employers in that city. In many cases the associations are formal organizations whose officers have power to bind all the members to the agreed terms of employment. In other cases the employers may unite informally and perhaps only for the duration of the bargaining conferences. In some instances the lack of a continuing employers' association makes no difference in the actual negotiation of the agreement, but considerably complicates its enforcement. Several industries in which the predominant method of dealing is with city-wide associations are brewing, retail trade, baking, printing and publishing, restaurants, local trucking, and barber shops.

The Building Trades

More city-wide association bargaining is found in building construction than in any other single industry. Almost half the building-trades agreements are negotiated by permanent associations of contractors and individual unions. Usually, after the agreement between the union and the association has been consummated, nonassociation contractors are offered agreements containing identical terms, with the exception that some of the joint machinery for settling disputes between the union and association members is of necessity modified. In a few instances, advantages are given to association members, such as a provision that they shall have preference in obtaining union workmen.

A number of building-trades agreements are negotiated by the individual unions with temporary associations of contractors through joint committees appointed for that purpose. Under such circumstances the accepted terms are incorporated either in a single agreement which each employer signs, or in separate identical agreements signed with

each employer. Where there is neither a permanent nor a temporary association of employers, the individual building-trades local, often after obtaining tacit acceptance from some of the leading contractors, prepares a contract that is automatically accepted by each unionized firm in the locality. Frequently there is no regular agreement that includes all the usual provisions. Instead, the employers either sign a memorandum or orally give affirmation to pay a specified wage and abide by the working rules of the union.

"Standard" Agreements and Union Labels

In the absence of association bargaining, unions often achieve standardization of wages and working conditions on an industry-wide or market-wide basis by negotiating nearly identical agreements with individual employers. Ordinarily, the individual employers with whom such agreements are negotiated are confined to an industry or trade in a metropolitan area. This is true not only of the retail and service industries but, in some centers, of manufacturers whose products flow into interstate markets.

A degree of uniformity is sometimes effected by having the National union office exercise control over local agreements, such as requiring its approval of them or issuing standard agreements or union-label and "shop-card" agreements. Generally, provisions dealing with apprentices, arbitration, and membership status are standardized and enforced on an industry- or trade-wide scale more often than are provisions regarding wage rates, hours, and working conditions.

The common practice in regard to the approval of local agreements is to have the union constitution require that agreements shall not be considered finally ratified until approved by the National union office. As an incentive toward standardization, some unions make available to their locals printed forms of agreements to be negotiated with local employers. These forms, or "standard" agreements, contain the minimum requirements that have been adopted through convention action (usually appearing in the constitution and by-laws) and have blank spaces in which locally negotiated wage rates, hours, and working conditions may be inserted.

Similarly, the National unions often issue standard union-label agreements that set forth the minimum terms under which employers may use the label. Supplemental agreements establishing local wage rates and working conditions are negotiated. Since the use of the union

label is strictly under the control of the National union, a measure of uniformity may be achieved among employers who sign the label agreement.

Local unions in some retail and service trades often secure standardization throughout the city by the use of the union-shop card. To secure a shop card the employer agrees to observe the minimum standards of the national union and, in addition, the local's wage rates, hours, and working rules. Changes in local working conditions are negotiated in joint conferences between the locals and the employers. In the absence of an employers' association, a local may adopt a change by a vote of the membership and merely advise the employers regarding it. The shop-card and union employees may then be withdrawn from employers who do not conform to the new rules.

THE BARGAINING PROCESS

Annual negotiations between employers and unions are most frequent, even though the agreements do not always specify that they are to be in effect for only one year. Many agreements are of indefinite duration but are subject to renegotiation upon notice by either party. Some agreements are negotiated for periods of two or more years without privilege of alteration. Although the longer period may seem to insure greater stability in the employment relationship, if drastic economic changes occur in the meantime, either the employer or the workers may find it difficult to abide by the contract. Numbers of strikes and lockouts have taken place as a result of "frozen" wage rates which were agreed upon some time before a rise or fall in prices and the cost of living occurred.

Regardless of the period the agreement is to remain in effect, most agreements have always required the party which wishes it changed or terminated to notify the other party thirty or sixty days in advance of the expiration date so that new terms can be negotiated without interruption of the contractual relationship. The 1947 Labor Management Relations Act requires the filing of sixty days' notice by either party wishing to terminate or modify an existing agreement, during which time the parties must meet and confer for the purpose of negotiating a new contract. As discussed later, the law also has provisions concerning the settlement of any issues which are not resolved through these conferences of employer and union representatives.

Union Procedure

The effectiveness of a union in negotiating agreements depends considerably on the composition and experience of its bargaining committees. Union negotiations usually are conducted by officers of a local union or of a joint board or district council, although the National representatives may be consulted for advice prior to or during the negotiations, or they may participate directly in the bargaining, especially with the larger employers. These National representatives generally have major responsibility in regional or industry-wide negotiations and in bargaining with a large corporation for an agreement covering many plants.

A union chooses its strongest leaders for the task of negotiating either a new agreement or a renewal. Ordinarily, these leaders are the president and other elected officers, although other union representatives may be put on the negotiating committee, or a special committee may be selected. If the union employs a business agent, he is usually a member of the committee and may play a primary role in negotiations.

There are several ways in which the members of a union may exercise control over negotiations. First, the members of the negotiating committee are elected or appointed by officers who are themselves elected by the members; second, the demands to be made upon the employer are usually submitted for approval to the members prior to the negotiations; third, the tentative agreement reached with the employer is submitted to the members for ratification at which time the members of the negotiating committee are required to defend the results of their bargaining and explain why any compromises were made.

When the bargaining involves an employers' association or a large corporation and a number of local unions, it is common for each local to recommend the terms it desires to be included in the agreement to a joint conference of representatives from all the locals. These representatives, in consultation with the National union officers, decide the exact nature of the demands to be made, and may elect a negotiating committee. Any agreement reached with the employer is then submitted to the local unions for ratification.

Employer Procedure

The negotiating machinery on the employer's side depends largely on the size of the company and whether or not the employer is a mem-

ber of an employer's association. A small owner-employer who is not a member of an association usually bargains directly with union representatives, although he may enlist the aid or advice of his lawyer. Where there are many small employers within a producing area, an employers' association, as already indicated, may function as the bargaining agent for the member employers. Negotiations may be conducted by the secretary and the executive officer of the association, or a special committee of member employers may be appointed. After the agreement has been drafted it may be signed by the executive officer or negotiating committee for the association, or each employer member may affix his signature.

In large companies the negotiating process depends upon the corporate structure. In some instances the plant manager may negotiate final terms, frequently with the aid of the industrial relations director. In other cases, when the agreement is negotiated by the branch manager, it does not become final until it is approved by the corporation's central office. Elsewhere, the central office negotiates directly with the union either one agreement to apply uniformly over all its plants or different agreements for its various plants. The latter, however, is infrequent unless the plants are engaged in different types of work or the employees belong to different unions.

Outside Aid

Either or both parties may seek outside help in reaching an agreement, especially if there is a stalemate in the direct negotiations and a work stoppage is threatened or has taken place. Employers, and to a less extent unions, may hire lawyers to assist them in drawing up their agreements, although many prefer not to emphasize the legalistic approach to agreement negotiations. This can be avoided, of course, if the lawyer has had industrial relations experience as well as training in economics and law.

If the employer refuses to negotiate with a particular union on the grounds that a majority of his employees do not belong to it, recourse may be had to the National Labor Relations Board if the company is engaged in interstate business or, if intrastate, to state labor relations boards where they exist. These agencies then hold elections or otherwise decide whether or not the union should be certified as the exclusive bargaining agency.³ If a controversy arises

³ For railroad and airline employees the National Mediation Board determines the bargaining agency. (See next chapter.)

over the specific terms to be incorporated in the agreement, either party may ask help from the federal or state conciliation service. Since the conciliator has no legal powers of compulsion, his effectiveness is dependent entirely upon the prestige of his office, the assistance he can render by reason of his knowledge of the facts involved, his skill as a negotiator, and the willingness of the parties to compromise or come to terms.

If the conciliator's recommendations are not acceptable to one or both parties, they may decide to submit the issue to an arbitrator for final decision. On the other hand, either party may decide to use its economic strength to obtain its terms, and a strike or lockout may be called. Under such circumstances, the final terms of settlement are dependent largely upon which side is able to hold out longer, although an important factor is the pressure of public opinion, especially in work stoppages which result in inconvenience to the public. For every agreement that has been negotiated after a strike or lockout, thousands have been negotiated peaceably with no stoppage of work.

Factual Aids to Bargaining

The need and use of factual data in determining the terms and conditions of employment are increasing in importance as economic relationships grow more complex and collective bargaining processes become more extensive. Knowledge and mutual acceptance of specific facts remove many areas of conflict between employers and employees and minimize many others. The maximum use of all available data and the diligent search for additional facts indicate mature rational bargaining.

Knowledge of given facts, however, never automatically resolves all employer-worker differences. Beyond the point where all the parties connected with an enterprise are interested in its maximum prosperity, there remains the basic question of how the gross income of the enterprise shall be distributed. Similarly, although management and workers may agree in principle that standards of efficiency must be maintained, there still exist differences as to the relative value of specific efficiency methods. As aptly summarized by one who has observed the collective bargaining procedure: "While factual collective bargaining tends to develop a smoothly functioning employer-union relationship, it guarantees no millennium. Divergent interpretation of jointly determined fact will still provide disagreements. Conflicts of interest will continue to exist. Nevertheless, it seems beyond doubt that a factual

basis for negotiations is an essential requirement for a mature system of collective bargaining."⁴

The parties negotiating an agreement must necessarily rely upon various kinds of data in making their determinations. Financial records of the company, economic data on the industry, wages and working conditions prevailing elsewhere, prices and cost of living, and other related matters are taken into consideration to a greater or lesser extent whenever a new agreement is negotiated.

The Employer in some respects is in an advantageous position with regard to factual data to support his claims. It is difficult if not impossible for the union to know the exact condition of the company's finances. On the other hand, a union that is national in scope can collect data from all its locals and thus be informed about the wages and working conditions throughout the unionized section of the industry. Employers' associations could also obtain from and disseminate information through their members, but in this country, at the present time, few of the established trade associations deal with problems of collective bargaining. Not all the unions maintain research facilities, but the number is increasing and at present research to facilitate collective bargaining is fairly common on both the union and the employer side.

PROVISIONS IN LABOR AGREEMENTS

An employer-union agreement may be a document of half a dozen typewritten pages or a fifty-page printed booklet, although most agreements are fifteen or twenty pages in length.⁵ The extremely long agree-

⁴ Neil W. Chamberlain, *Collective Bargaining Procedures*, American Council on Public Affairs, Washington, 1944, p. 98.

⁵ The merits of long versus short agreements are a frequent subject of discussion, especially at management conferences. Professor Slichter has made this interesting comment:

"A large proportion of our trade agreements are too long and complicated and contain too many rules. . . . When one picks up a British trade agreement, one finds it is just about as long as one of ours, but the length comes not from shop rules, but rather from the fact that the agreement spells out in considerable detail how cases shall be handled, where they shall go first, where next, where next, and where ultimately. If one may contrast in general terms the policies represented by the British trade agreement and the American, one may say that the Americans are more disposed to rely upon the legislative method—the method of a definite rule spelled out in advance—and that the British are more disposed to rely upon the administrative method—the method of settling

ments include occupational wage listings and detailed work rules, whereas the shorter agreements are confined to statements of policy and general rules of procedure, with the further specification that other documents, such as the company's book of rules and the union's constitution and bylaws, are to be observed.

Regardless of their length, all agreements cover five major issues: (1) the type of recognition afforded the union; (2) basic wages and hours, including overtime and other items affecting earnings; (3) seniority rules; (4) work rules, including health and safety measures; and (5) procedures for settling disputes arising during the life of the agreement, as well as the procedure to be followed in opening negotiations for a new contract.

The specific provisions in employer-union agreements vary not only because of the necessary differences due to the nature of the industry or occupation covered and the customs and trade practices which have developed through the years, but also because of many dynamic influences such as the general economic situation prevailing at the time the agreement is negotiated, the competitive position of the particular industry or employer, the bargaining strength of the union, the desires of the employer and union members, the skill of the negotiating parties and the factual evidence each has presented during the negotiations, the presence or absence of governmental regulations, and the pressure of public opinion.

Union Status

One of the first and most important provisions of any agreement is that which outlines the basic relations between the employer and the union, namely, the degree of recognition extended, the membership status of present and newly hired employees, dues collection, the union's use of bulletin boards, and related matters.

Prior to the passage of the Taft-Hartley Act the degree of recognition varied from a closed shop to recognition of the union as the sole bargaining agent, which was the legal minimum requirement under

individual cases in the light of particular facts. The British method is more flexible and more adaptable to a rapidly changing world. It is less likely to bind both sides by rules which later become obsolete and a handicap to each, but which are difficult to abolish because they have created vested interests among the workers or even among the employers." (Sumner H. Slichter, "The Contents of Collective Agreements," *Society for the Advancement of Management Journal*, January, 1938, p. 13.)

the old N.L.R.A. Under a closed-shop provision all employees covered by the agreement must be members of the union, and in addition all new employees must be hired through the union or be members of it at the time of employment. While a union-shop agreement also requires all permanent employees to be union members, the employer has complete control over the hiring of new workers; if they do not already belong to the union a probationary period is usually allowed before they are required to join. Under a maintenance-of-membership provision, joining the union is optional, but after an employee once joins he must retain his membership for the duration of the agreement. Maintenance-of-membership agreements were largely compromise arrangements which became popular during the war, and after the war many unions were able to convert these clauses into union-shop agreements.

A year before the enactment of the 1947 Labor Management Relations Act more than 11½ million workers were covered by one or another kind of "union security" clause. This was equivalent to more than three-fourths of the total persons employed under collective bargaining agreements. All of these "union security" provisions have been affected in some way by the Taft-Hartley Act. The closed shop and preferential hiring were banned altogether, and the union shop and maintenance-of-membership agreements were permissible only after a majority vote in secret elections. (Both union- and closed-shop agreements are absolutely banned according to some recently enacted state legislation.)

More than 95 per cent of the elections which were held under the Taft-Hartley Act were in favor of union-shop provisions. (The high number of favorable votes for the union shop came as a surprise to Congressmen who had favored the legal restriction on the assumption that rank-and-file employees were being "forced" into unions against their wishes.) Late in 1951 Congress amended the Taft-Hartley Act to eliminate the necessity for elections except in cases where 30 per cent of the employees ask for secret voting for the union shop.

Closely allied to the matter of union status or degree of recognition is the question of how membership dues shall be collected. The Taft-Hartley Act now makes illegal any contract provisions which permit employers automatically to deduct dues from the pay of all union

members (the so-called "automatic checkoff") but specifies that dues may be deducted upon written authorization by individual employees. Such checkoff authorizations, the law states, "shall not be irrevocable for a period of more than one year or beyond the termination date of the applicable collective agreement, whichever occurs sooner." Since the law went into effect, individual authorization arrangements have become fairly common, having supplanted the former automatic arrangements. If the checkoff is not provided, the agreement may allow union officials access to the plant for the purpose of collecting dues, or grant the union the right to set up a booth on company premises to collect dues on payday.⁶

Wage and Hour Provisions

Practice varies widely with respect to the amount of detail with which wage matters are treated in union agreements. In the case of small shops, the agreements may include itemized wage lists for each occupation; agreements for larger plants may specify minimum and maximum rates for the major job categories, or merely give a minimum learner or common labor rate. Where wage incentive plans exist, the agreements may specify the base or guaranteed rates and outline the conditions under which new production standards and piece rates are to be established.

Some agreements specify the form—cash or check—and frequency of wage payment. Other wage provisions relate to differential rates for night or hazardous work, call-back pay, guaranteed pay for reporting at the regular time and finding no work to do, pay when transferred to a different job, deductions for damaged work or for equipment used, etc. A few agreements provide for lump-sum payments, or the payment of regular wages for a given number of weeks, in case of dismissal from the job through no fault of the employee.

Seldom do union agreements contain absolute restrictions on the number of hours employees shall be permitted to work, but almost

⁶ Permission to collect union dues, distribute union literature, and carry on other union activities on company property but outside of work hours—for example, during lunchtime—has been ordered by the National Labor Relations Board under certain circumstances, viz., where plants are located at a distance from cities or where the employees' homes are scattered over wide areas, thus making it difficult for the union to get in contact with its members or prospective members except at their work places.

without exception they provide penalty or overtime rates for all hours worked in *excess* or *outside* of the regular schedule. Most agreements establish both daily and weekly hour maxima—for example, 8 hours per day and 40 hours per week—although penalty rates are not paid twice for any given hours of overtime. Many agreements provide premium rates for Saturday and Sunday work, even though such work does not represent overtime. Special rates are also provided for second- and third-shift work, that is, night work, although these rates are usually only 5 or 10 per cent higher than the regular day rates, in contrast to the time and a half or double time paid for overtime and weekend work.

Seniority Rules

Since seniority is a measure of a claim to a job, the clauses dealing with seniority are of major importance to both the employer and the employees concerned. Practically all agreements contain detailed rules specifying how seniority is acquired—on a plant-wide, department, or occupational basis, or a combination of any of these—as well as how such rights are applied and lost.

Most union agreements provide that layoffs are to be made on the basis of strict seniority, employees with the shortest service record being laid off first, although some specify that the employer may retain a given nucleus of “indispensable” employees regardless of seniority. In order to preserve continuity in the grievance adjustment personnel, many agreements specify that union stewards shall be placed at the top of their respective seniority lists and thus be the last to be laid off.

Re-employment is of course in reverse order to layoff, those with the greatest seniority being the first to be reinstated when work picks up. Some agreements establish a maximum period of layoff—for example, one year—during which seniority rights are retained, although many agreements explicitly or implicitly allow the retention of seniority rights for an indefinite period until such time as the employer is able to offer a suitable job or the employee obtains work elsewhere.

Many agreements which apply straight seniority to reductions in force and re-employment do not recognize an employee's length of service as the sole or primary consideration when promotions are made; in other words, seniority may govern only in the case of employees whose skill and ability are relatively equal. Some agreements,

however, go further by providing that the oldest employee in point of service shall be given an opportunity to qualify for a promotional vacancy and that if, after a fair trial, he cannot qualify, the next in line shall be eligible, and so on.

Work Rules

In addition to the above provisions, and those relating to dispute and grievance adjustments discussed in the next chapter, union agreements contain clauses outlining specific work rules as well as provisions concerning health and safety matters. Owing to the tendency of some employers in the past to use physical examinations as a means of discriminating against union members, and also because of the fear of depriving persons of needed employment, some agreements prohibit physical examinations as a condition of hiring, or during the period of employment. An increasing number, however, provide entrance examinations and periodical checkups thereafter, although many permit appeal to the family doctor in case of an adverse report from the company physician. Where examinations are provided, most agreements specify that they shall be at company expense.

Most agreements contain only general provisions concerning safety and sanitation, although a few of them go into much detail, especially in the case of hazardous occupations or where the public safety is at stake. Since most state workmen's compensation laws require the reporting of accidents by the employer, most agreements do not mention this, although conformity to the law is commonly specified. Some agreements provide for a special safety committee, which may be a joint management-union committee or one composed solely of union members. An increasing number of agreements, particularly those covering "dirty occupations" in which the workers must change from their street clothes, require the furnishing of shower baths, lockers, and dressing rooms.

Work rules necessarily differ for different industries and plants, and there is wide variation in practice as to the amount of detailed instructions included in agreements. A complete outline of the plant's working rules rarely appears, although existing company and union rules may be incorporated by reference. Aside from matters of discipline, clauses in agreements may state rules concerning apprentices and learners, the size of work crews and work loads, the distribution

of work among employees, subcontracting and working on nonunion materials, the use of the union label and bulletin boards, the treatment of special groups such as handicapped or aged employees, the care and use of machinery, and the making of time and motion studies. Although some agreements include explicit statements pertaining to the prerogatives of management, in most of them such matters are implied rather than specifically mentioned.

EXTENT OF COLLECTIVE BARGAINING

The expansion of collective bargaining roughly parallels the growth of union membership, although the actual number of employees covered by collective agreements is not identical with union membership in three major respects: (1) There are scattered union members working for employers with whom agreements have not yet been negotiated although presumably they will be negotiated whenever a majority of the employees join the union. (2) As indicated above, agreements cover all the employees in the bargaining unit; only under union-shop agreements, in which all employees are required to belong to the union, would coverage be identical with union membership. In other plants agreement coverage would be more extensive than union membership. (3) There are thousands of government employees—federal, state, and municipal, including schoolteachers—who are union members but who are not working under the usual type of bilateral agreement existing in private industry.

Agreement Coverage

Approximately 50 per cent of all employees in private industry are now working under the terms of union agreements. About 70 per cent of manufacturing wage earners as a whole are covered by agreements, and in such industries as aluminum fabrication, automobiles and aircraft, clothing, nonferrous metal smelting and refining, shipbuilding, and basic steel, over 90 per cent are covered. Almost all the mine, maritime, commercial construction, and railroad workers, and over 90 per cent of those in the local bus and street railway, airline, trucking, and telegraph industries are employed under union agreements.

Collective bargaining is not extensive in the clerical, professional, and service occupations except in the amusement and railroad indus-

TABLE IV. Proportion of Wage Earners Under Union Agreements
in 1950
Manufacturing Industries

80-100 per cent	60-79 per cent	40-59 per cent	20-39 per cent	1-19 per cent
Agricultural equipment	Book and job printing and publishing	Baking	Beverages, non-alcoholic	(None)
Aircraft and parts	Canning and preserving foods	Flour and other grain products	Confectionery products	
Aluminum	Chemicals	Furniture	Cotton textiles	
Automobiles and parts	Dyeing and finishing textiles	Hosiery	Dairy products	
Breweries	Gloves, leather	Jewelry and silverware	Silk and rayon textiles	
Carpets and rugs	Machinery, except agricultural equipment and electrical machinery	Knit goods		
Cement	Millinery and hats	Leather, luggage, handbags, novelties		
Clocks and watches	Paper and pulp	Lumber		
Clothing, men's	Petroleum refining	Paper products		
Clothing, women's	Railroad equipment	Pottery and chinaware		
Electrical machinery	Steel products	Shoes, cut stock and findings		
Fur	Tobacco	Stone and clay products		
Glass and glassware	Woolen and worsted textiles			
Leather tanning				
Meat packing				
Newspaper printing and publishing				
Nonferrous metals and products				
Rubber				
Shipbuilding				
Steel, basic				
Sugar				

Nonmanufacturing Industries

80-100 per cent	60-79 per cent	40-59 per cent	20-39 per cent	1-19 per cent
Actors and musicians	Radio technicians	Bus lines, inter-city	Barber shops	Agriculture
Airline pilots and mechanics	Theater—stage hands, motion-picture operators	Light and power	Building servicing and maintenance	Beauty shops
Bus and streetcar, local		Newspaper offices	Cleaning and dyeing	Clerical and professional, excluding transportation, communication, theaters and newspapers
Coal mining		Telephone	Crude petroleum and natural gas	Retail and wholesale trade
Construction			Fishing	
Longshoring			Hotels and restaurants	
Maritime			Laundries	
Metal mining			Nonmetallic mining and quarrying	
Motion-picture production			Taxicabs	
Railroads				
Telegraph				
Trucking				

tries. Practically all professional actors and musicians, as well as the clerical and supervisory personnel on the railroads, are employed under union agreements. In contrast, agreements cover less than 10 per cent of the clerical and professional workers in manufacturing, financial, and wholesale and retail trade establishments. Most of the Northern textile and hosiery mills are unionized but despite recent union drives, a majority of the Southern mills remain unorganized.

Chapter 9

EMPLOYER-LABOR DISPUTES

So long as free men and women engage in economic undertakings, there will always be disputes between employers and employees. A complete absence of disputes for any period of time would indicate a condition of absolute dominance of one group and abject servility of the other, a situation which makes for stagnation rather than progress. Likewise, the total elimination of interunion controversies could be attained only by stifling natural, and in some instances desirable, expressions of group rivalry.

The presence of a dispute does not mean that a work stoppage exists or that it must necessarily take place. It is sometimes argued that if a dispute can be settled after a strike or lockout occurs it could just as well have been settled without a stoppage; that work stoppages are therefore wasteful and unnecessary. This may be true in some cases, but the fact is that in many instances different terms of settlement are obtained following a work stoppage than would have been effected without the stoppage. It is the prospect and the hope of obtaining more favorable terms which induce workers (or an employer in the case of a lockout) to undergo the hardships and inconveniences of a cessation of work.

Moreover, the knowledge that a work stoppage can or may take place materially affects the nature of the bargaining relationship. Indeed, it can be said that the essence of collective bargaining is absent if the parties involved do not have the right or ability to use the economic pressure of a work stoppage. The possibility of the use of a strike or lockout as a last resort has been expressed as "an ever-present and controlling factor in the realistic processes of collective bargaining. Those processes lose all color of reality if the workers have not the

right to reject the management's offer and quit, or if management has not the right to refuse the workers' terms and close the plant. It is the overhanging pressure of this right to strike or to lockout that keeps the parties at the bargaining table and fixes the boundaries of stubbornness in the bargaining conferences. It sets the limit upon the aggressive and emotional conduct of the negotiations and dominates the situation in the final moments of responsible decision. Unless the negotiating parties are faced with this possibility of a strike or a lockout, and are forced to examine and accept the consequences of their own decision, they are free from the responsibility that makes genuine collective bargaining possible and produces through it creative results. Thus, for the ordinary labor dispute, the possibility of a strike or lockout is, in the last analysis, the most potent instrument of persuasion."¹

To concede that the potential of a strike or lockout is a necessary condition for genuine collective bargaining does not imply that all work stoppages which have taken place were necessary or that stoppages should under all circumstances be allowed to take place. Work stoppages may be costly and sometimes disastrous to the parties who engage in them; they may seriously inconvenience and sometimes jeopardize the health and safety of the general public. The settlement of labor disputes before work stoppages occur is the goal of government, employers, and unions alike, and various methods for their prevention are now being utilized and many more are proposed from time to time. Short of an absolute ban on all strikes and lockouts which can be imposed only by a police state or totalitarian government, there is no one panacea for dealing with work stoppages resulting from labor-management disputes.

SIGNIFICANCE OF STRIKE ACTION

Because of the relatively strong bargaining position which the employer usually has in the employment relationship, most stoppages take the form of strikes rather than lockouts.² Most generally it is the

¹ *Strikes and Democratic Government*, The Twentieth Century Fund, New York, 1947, pp. 13-14.

² Technically, the distinction between a strike and a lockout depends on the party which actually initiates the stoppage, but in actual experience it is frequently impossible to make a distinction. For example, an employer says he cannot operate a plant unless wages are reduced. The workers refuse to accept the reduction and the plant shuts down and reopens a month later at the re-

employees who must take overt action to obtain new terms of employment or to protect existing standards. The employer needs only to announce that he will not raise his wages or intends to reduce them, and his proposals will *automatically go into effect* unless his employees protest. Work stoppages due to employer-labor disputes, therefore, are conceived of and generally referred to as strikes.

A strike is an evidence of discontent and an expression of protest; it represents the final act by which workers seek to better their condition or mitigate a worsening of conditions. While a strike indicates dissatisfaction, it is also a manifestation of hope. Workers driven to the point of despair, either because of fear of retaliation or because of the general hopelessness of their economic situation, seldom indulge in such overt acts as strikes. Their protests must necessarily take the form of sabotage or of a listless slowing down on the job.

Strikes Versus Other Forms of Protest

A strike is a temporary stoppage of work for specific reasons, entered into with the expectation that work will be resumed when a settlement of the grievances is effected. So far as the intentions and attitude of the strikers are concerned, they look upon themselves as continuing to retain the status of employees of the company against which they are striking, with vested interests in their individual jobs and with the right to return to their jobs when they have reached a mutual agreement over the matters in dispute or, if unsuccessful, when they are willing to return to work on the terms offered by the employer.

A stoppage is effected either by walking out, not reporting for work at the usual or expected time, or reporting for duty but refusing to perform any work ("sit-down"). A walkout is a fairly clear-cut situation but the other two forms are sometimes difficult to interpret as strikes. For instance, workers in seasonal or intermittent trades—fruit pickers, seamen or longshoremen, building-trades workers—may refuse to go to work on terms offered by prospective employers. There is no actual walkout since work has never started on the season's fruit

duced wage. Here the employer sought to enforce terms upon the workers, who at first refused to accept them. On the other hand, a union may announce certain terms which it says must be adopted as a condition of continued work by its members; work ceases when the employer refuses to accept those terms. In both cases, the workers would claim that these stoppages were lockouts, whereas employers would probably call them strikes.

picking, loading or unloading the boat, or construction of the building. However, when specific jobs need to be filled, the collective refusal of available workers to accept employment on the terms offered, is tantamount to a stoppage and can logically be called a strike.

Restriction of output or sabotage sometimes approximates a "sit-down" strike but cannot be identified as one unless the participants openly state that their action is done for specific reasons, and will be concluded if and when their grievances have been adjusted. Some unions which follow the practice of not allowing their members to work after the expiration of a contract and before a new one has been concluded ("no contract—no work"), maintain that such interruptions are not strikes. However, these stoppages are due to the inability of the union and employer to reach an agreement and therefore can be interpreted as strikes resulting from disputes over the terms of employment.

KINDS OF WORK STOPPAGES

Work stoppages due to industrial disputes can be classified into four general categories, depending upon the relationship of the parties involved and the purpose for engaging in the stoppage: (1) a sympathetic strike in which the dispute is not primarily one between an employer and *his own* employees; (2) a jurisdictional strike which is due to a dispute between two or more unions for control of a particular class of work; (3) a stoppage which is the result of a dispute between rival unions as to which one shall be the representative agency for a particular group of workers; (4) a strike or lockout which is the result of a dispute between an employer and his employees. A large majority of work stoppages result from disputes between individual employers and their employees and take place when one party makes definite demands on the other.

Sympathetic Strikes

In a sympathetic strike the dispute is not primarily one between an employer and *his own* employees; it is called for the purpose of demonstrating the solidarity of workers and broadening the group pressure upon the employer against whom there is a strike for special cause. In some sympathetic strike situations the employer or employers involved

may not be responsible in any way for the dissatisfactions which brought about the primary stoppage. In other cases, however, the workers' willingness to participate in the sympathetic action may be induced by the feeling that there is a tacit understanding among the several employers with regard to the issues involved in the primary dispute; that should the original strike fail their own work conditions will also be adversely affected.

Sympathetic strikes have never been common in this country; they have never amounted to more than one per cent of the total stoppages in any year. Since they may involve suspension of a no-strike provision in employer-union contracts, they are resorted to only in extreme cases when the union or union standards appear to be in jeopardy throughout the trade. A sympathy strike is generally confined to one or a few employers engaged in the same or a related business to that of the employer against whom the original strikers have a grievance. However, it may spread to most or all of the employers throughout the given industry and thus become an industry-wide strike.

If a sympathetic strike becomes so widespread as to include all or a large majority of the workers in different industries, it is referred to as a "general strike." Not more than a half-dozen general strikes have taken place throughout the history of this country, and all of them have been confined to single cities where they have been called in sympathy with particular groups of strikers or in protest against some action taken by city authorities with respect to the conduct of the original strike.

In this respect American experience thus far differs from that of some other countries where general strikes have occurred which included workers in all the industries throughout the country. A notable example is the one which took place in Great Britain in 1926 in which all organized workers, including government employees, quit work in sympathy with the striking coal miners. In France, before World War II, several general strikes occurred in protest against specific government actions pertaining to labor conditions. Since the war also, the French and Italian labor unions, especially these dominated by Communists, have called a number of nation-wide strikes to which large numbers of workers have responded.

A nation-wide general strike represents much more than a dispute between employers and employees. It is an expression of deep-seated dissatisfaction among the workers with their economic situation, and indicates a demand for redress through their government. If prolonged,

it assumes the aspect of a political rebellion which might lead to a revolution.

Rival Union Disputes

Where there are two or more unions functioning in the same trade or industry, a dispute may arise as to which union shall represent the workers as their bargaining agent. This may result in a work stoppage if members of one of the unions seek to have their union displace a union which has already been recognized by the employer. While the immediate issue causing the stoppage of work appears to be the rivalry of two factions of workers, the employer is nevertheless an integral factor in the situation. The very fact that there are two rival unions fighting for the allegiance of his employees generally signifies the discontent of one group of workers with the terms which their union has obtained from him, and the hope that the other union can secure better terms.

Rival union disputes are the result of dualism in labor organizations and the occasion for their taking place has been magnified by the present A.F.L.—C.I.O. division in the labor movement, as well as the several independent organizations which compete with affiliates of the two major federations. Work stoppages due to union rivalries, however, have not been frequent. There would be many more except for the fact that there is an orderly procedure for employee elections established by law (discussed later) to determine which union the majority of employees wish to have as their representative agency.

Jurisdictional Strikes

A jurisdictional strike represents another situation in which the dispute is not primarily one between an employer and his employees. In the usual jurisdictional dispute the employer is passive, the quarrel being solely between two or more labor organizations. However, the employer has a stake in the outcome because of possible differences in wage scales and other work standards demanded by the contending unions.

In a jurisdictional dispute, the issue is which one of two or more unions has a right to claim jurisdiction over a particular class of work or kind of job. Unlike a representation dispute between dual organizations, the dispute is not over which union a majority of a given group of employees wish to have represent them. In fact, no workers may actually be employed on the job when the dispute arises, or those who

happen to be at work may have to leave if the contending union wins the strike and decides to give the jobs to its own members.

Jurisdictional disputes are by-products of the continual changes in machinery, methods, and materials that take place in a dynamic industrial economy. Each such change causes the elimination of certain kinds of occupations or types of jobs and the substitution of others. Conflicts arise when a union seeks to continue its jurisdiction over the function performed, regardless of the new materials or processes which may be introduced, or when a new process arouses a desire for a new craft autonomy. Because of their potentially disruptive results to the labor movement, and because organized labor realizes they are the least defensible in the eyes of the public, both the A.F.L. and the C.I.O. have sought various means to resolve jurisdictional disputes before stoppages take place.

A primary function of both the Building Trades and the Metal Trades departments of the A.F.L. is to handle jurisdictional disputes among their affiliates. They have experimented with various procedures for the settlement of such disputes which have been successful in many, but not all, instances. Largely because of their industrial character, jurisdictional disputes have been rare among C.I.O. unions. Nevertheless, in order to remove potential sources of conflict, C.I.O. unions in 1951 entered into an agreement whereby their jurisdictional disputes would immediately be referred to arbitrators chosen by the C.I.O. Executive Board.

UNION RULES CONCERNING STRIKES

Practically every union constitution contains some statement regarding the calling and conduct of strikes. In general, the purpose of such clauses is to minimize hasty and ill-advised action and to provide financial aid and insure maximum success once a strike is called. In considering the purpose and character of strike clauses in union constitutions it should be remembered that any organization's formally adopted rules may not be adhered to by all its members at all times. Just as individuals may ignore or violate civil laws, so members of unions may on occasion engage in strikes contrary to their unions' regulations. Such stoppages the unions themselves call "illegal" and fines may be imposed upon members who instigate them.

Rules for Calling a Strike

In order to call a strike, the majority of unions require a two-thirds affirmative vote of the membership affected, and sanction by the National President or General Executive Board. Some unions permit the calling of a strike by a majority vote of the local membership, whereas others require a three-fourths vote. Many stipulate that the vote shall be by secret ballot at a special meeting of the members which has been announced a given number of days in advance, and which is attended by at least one-fourth of the total membership affected. Some unions require the presence of the union's National representative at the local meeting when a strike vote is to be taken.

While such rules prevail, in the building-trades and some other unions, the local business agent is sometimes given authority to call "job" or "shop" strikes when in his opinion the agreement is being violated. But if such strikes will affect the members of other unions as well as his own, approval of the local or district trades council or joint board is required.

Although almost all unions require the sanction of the General Executive Board or the National President before a strike may be undertaken, in practice this sanction is usually effective only so far as financial aid is sought and obtained from the National. Some unions specifically limit the sanction requirement to strikes which the National union is to finance, and in such cases the local's vote to call a strike is final if the membership does not expect to receive strike benefits or other aid from its National office. On the other hand, the locals of some unions are absolutely forbidden to engage in any strike without approval of the National office; otherwise they may be suspended.

In some situations the General Executive Board (or the National President) is authorized to take the initiative in calling strikes, with or without a vote of the local membership. Whether so defined or not, the circumstances under which the National office is empowered to call a strike on its own initiative are usually confined to situations which violate a basic principle of the union and thus jeopardize its existence. A few unions, for example, permit the National Executive Board to call a strike whenever "necessary to defend the organization" or "to protect the union's jurisdiction," in a "great emergency," or, more particularly, "where members are working on struck work."

Rules for Terminating a Strike

Unions which require a three-fourths vote of the members to call a strike usually require only a majority vote for its termination. As with the calling of a strike, the authority of the general officers to end one varies in the different unions. In some instances the National President has the power to call off a strike whenever in his judgment it is to the best interests of the union to do so. More generally the termination of a strike is dependent on the vote of those immediately involved, although the influence of the National officers usually has considerable weight. In all cases, so far as the continuance of strike benefits is concerned, the National officers have the final word.

Strike Benefits

The calling of a strike is a serious matter to the workers and union concerned, for it means loss of earnings and union dues and perhaps substantial cash outlays from the union treasury. Although the union's ability to pay strike benefits when needed varies greatly, practically all of them seek to maintain a reserve to finance strikes, which is most commonly called the "defense fund."

The amounts in these defense funds naturally fluctuate, depending both upon the provision made for maintaining them and upon the necessity for withdrawals at any particular time. Some union constitutions specify that a certain portion of the regular dues shall be regularly deposited in the defense fund, while others specify a minimum amount which shall be maintained; if the fund falls below the specified amount, the treasurer is authorized to levy special assessments. In the case of a prolonged strike by a local which the National union considers important to union security or expansion, the National office may levy a special assessment upon the members of the locals not involved in the stoppage. The justification for such general assessments is based on the conviction that the welfare of the union and all its members is at stake in the outcome of the dispute.

SETTLEMENT OF DISPUTES UNDER EMPLOYER-UNION AGREEMENTS

The signing of an agreement by an employer and a union automatically removes some of the major causes of conflict—the matter

of union recognition has been settled and the questions of basic wages, hours, and working rules have been agreed upon. Although the establishment of such a contractual relationship does not entirely remove the possibility of disputes, they should not develop into strikes and lockouts if the agreement also provides adequate adjustment machinery, and if all parties are willing to use the specified procedures.

Experience with collective bargaining has led to a general acceptance of three essentials for the adjustment of disputes which arise under an employer-union agreement: (1) union-management negotiations, beginning with the foreman in charge of the shop or department where the dispute originates and proceeding up to the highest officials of the company; (2) if such negotiations fail to secure an adjustment, appeal to an impartial outside agency or individual; and (3) restriction on strikes and lockouts until these other means of settling the dispute have been exhausted.

Important sections in all agreements signed by employers and unions are those which outline the procedural arrangements for the appeal and final adjustment of employee grievances, as well as charges by the union or the employer that the agreement is being violated. There are considerable variations in the arrangements now in effect, and they signify much more than nominal differences due to happenstance. Procedural arrangements, and the sincerity with which they are followed by all parties, can mean the difference between good morale and constant friction in a plant. They determine the relationship between employees, the union representatives, and the foremen, and affect their status and rights as persons and as constituents of the enterprise.

There is no one best procedure which could be followed in all industries, and within a given plant the procedures are altered from time to time as experience deems advisable or the desires of the parties make necessary. The particular arrangements existing in any plant are influenced by the confidence which the union and the management have in each other, the personalities involved, as well as the nature and size of the enterprise.

Negotiating Personnel

The workers usually select their own representatives to negotiate with management when a dispute arises. The most common procedure is for the employees in a shop, or in each department of a large plant, to elect one of their own group to serve as shop chairman or steward who acts as their representative in the initial handling of

a grievance. In large plants there are shop committees composed of the stewards elected from the various departments. Occasionally the shop officers may be appointed by the local union rather than being elected by the members of the local who work in the particular shop. Under the terms of many agreements, the stewards and members of the shop committees are placed at the top of the seniority list of the plant or department in which they work. This serves as an inducement to assume the responsibilities of a stewardship, removes fear of discriminatory dismissal because of action taken in connection with the work of a steward, and safeguards continuity in grievance adjustment personnel.

In the building-trades and a few other unions, the shop chairman or steward performs a less important function. He may handle some negotiations with the foreman, but the major burden of enforcing the agreement provisions falls upon the business agent. Although the steward is responsible for securing compliance with the terms of the agreement on a particular job, the business agent has this responsibility for all the employers in the same industry throughout the city. The business agent is a paid, full-time officer elected by the members of the local or appointed by a designated union official. He is not an employee of any of the workplaces covered by the union agreement, but he usually has a knowledge of the industry through previous employment.

The employee's immediate supervisor is ordinarily the first negotiator on behalf of the employer in dispute negotiations with the union. In small establishments, the owner himself may handle the initial negotiations; in large industrial concerns the foreman, department superintendent, division superintendent, and plant manager are in turn responsible for dealing with the union representatives. Personnel or labor relations officers, where these are employed, usually take an active part when appeal is taken beyond the foreman, although in some instances the personnel office is involved only after negotiations with the departmental official have failed to secure a settlement.

In a number of industries, agreements are made with associations of employers which are city-wide or regional in scope. Although these associations are at times established solely for the purpose of negotiating new agreements, they may also serve as enforcement agencies; in this case the association officials help to settle disputes which arise between the union and any employer who is a member of the association.

These association officials are elected by the member firms and, like business agents of the union, are experienced in the industry and familiar with its problems.

Initial Steps in Appeal Procedure

How shall a grievance be initiated? Shall an aggrieved employee take his complaint directly to his foreman or to his union steward? If the latter, how much responsibility shall the steward assume in deciding the validity of the grievance, that is, whether or not the complaint shall be presented to the foreman? Must the decision negotiated by the steward and the foreman be accepted as final by the employee? These questions have aroused a great deal of controversy between managers and unions; they have been major issues in cases brought before the National Labor Relations Board and they are one of the many issues referred to in the Labor Management Relations Act.

Management usually prefers to have an aggrieved employee take his complaint directly to his foreman, maintaining that this procedure preserves a healthy personal relationship between workers and their foremen, that it is less time consuming, and that stewards tend to magnify troubles and make unimportant differences become "issues." The attitudes of individual workers differ, depending upon how adequate they feel they are to handle their own grievances, their personal relationship with their foreman and with their steward. If an employee has a "stand-in" with his foreman, or for some reason does not like or trust his steward, he naturally prefers to deal directly with his foreman. On the other hand, a large proportion of employee grievances involve some action or decision of the foreman, and few employees have the desire or the courage to argue with their "boss" about something he has done or not done.

In general, unions want their stewards to participate and to assume the deciding role in all the negotiations of employees with their supervisors because they feel that such day-to-day personal service increases loyalty to the union. Moreover, unions claim that by having all complaints channeled through the stewards there is more uniformity in decisions throughout the plant, and there is less likelihood of partiality or discrimination on the part of the foremen.

The original National Labor Relations Act qualified its permissive union-shop clause with the proviso that "any individual employee or a group of employees shall have the right at any time to present griev-

ances to their employer." The National Labor Relations Board interpreted this clause to mean that an employee might present a grievance alone, but that foremen could not make a settlement without the union's consent; otherwise an individual might settle for less than his legal rights which might adversely affect the rights of other employees whom the union represented.

Many employers were dissatisfied with this interpretation and the Taft-Hartley Act now includes a clause which specifically allows individual employees or groups of employees to take up their grievances with their employer and to have such grievances adjusted without the intervention of the union representative "as long as the adjustment is not inconsistent with the terms of a collective-bargaining contract." However, the law provides that the union representative shall be given an opportunity to be present during the process of adjustment.

Arbitration of Disputes Arising Under Union Agreements

Most disputes arising while agreements are in effect are adjusted at some stage in the union-management negotiation process, and only occasionally do they have to be referred to an "outsider" for final settlement. Nevertheless, the great majority of employer-union agreements make provision for the arbitration of disputes arising over the interpretation or application of the agreement in the event the parties to the dispute are unable to settle the matter. In the few agreements which do not provide for arbitration, there may be provision for referring the dispute to a state or federal agency for conciliation or mediation. Although this brings the assistance and prestige of experienced negotiators into the proceedings, it does not automatically provide a decision which must be accepted.

As a rule, unadjusted disputes may be referred to arbitration upon the request of either the employer or the union; in practice, this insures automatic arbitration whenever a dispute is not mutually resolved. Under the terms of a few agreements, both parties must agree to have the matter referred to arbitration; this means that the party satisfied with the *status quo* is able to prevent recourse to arbitration. Since it is usually the union that is seeking redress, under the latter type of arbitration referral the union must either decide to accept the management's decision or resort to economic pressure and call a strike.

The most common form of outside reference is through the selection

of an impartial chairman by a committee on which both sides are equally represented. The chairman may be selected to function with the committee from the beginning, or he may be added only after the joint committee has failed to make an adjustment. Some agreements do not leave the selection of an arbitrator until a dispute gets to the stage of arbitration, but specify an individual who is to act as arbitrator as needed throughout the life of the agreement.

The arbitrators hold hearings, take testimony, and occasionally make independent investigations of the facts. In order to avoid unnecessary delays, a time limit is generally set for each step in the process—the selection of arbitrators, the conduct of hearings, and the rendering of decisions. The decision of the arbitrator is final and binding on both parties. Arbitrators' decisions have occasionally been taken to the courts for enforcement, although workers usually prefer to use the strike in preference to long-drawn-out litigation.

FEDERAL AGENCIES FOR SETTLING DISPUTES

Most disputes arise over the terms to be included in new agreements—that is, wages, hours, and working conditions—as well as over the question of union status. For the final determination of such issues there are usually no prearranged contractual procedures because these matters involve the essence of collective bargaining. When collective bargaining fails or threatens to fail, government agencies are widely utilized on a voluntary basis. If the dispute threatens a stoppage which would affect the public health and safety there are special procedures established by law.

Present government agencies for the adjustment of labor disputes are of two general types: (1) mediation and conciliation agencies, which have no legal power to compel acceptance of their recommendations and which may not even have a legal right to intervene if the parties to the dispute do not request their assistance; and (2) boards and commissions, which are empowered to administer and enforce specific laws concerning employer-employee relations and working conditions.³

³ In time of war the government must take unusual measures to minimize strikes which interfere with war production. During both World Wars, National War Labor Boards were established as supreme tribunals for the adjustment of disputes. In case of noncompliance with the Boards' decisions, the plants were taken over by the government.

Federal Mediation and Conciliation Service

The 1913 law which established the U. S. Department of Labor provided among other things that "the Secretary of Labor shall have the power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done." Pursuant to this law the Federal Conciliation Service was established which functioned as an arm of the Secretary of Labor until the passage of the 1947 Labor Management Relations Act. The new Act established a Federal Mediation and Conciliation Service which is independent of the Department of Labor and is under a single director appointed by the President with the advice and consent of the Senate. The Act also created a Labor-Management Panel, composed of six employer and six labor representatives, to advise the Director upon his request. All the functions of the former Conciliation Service, together with the personnel, were transferred to the new agency and, with a few exceptions, it operates in the same manner as its predecessor.

Before the enactment of the Taft-Hartley Act the Conciliation Service intervened, upon request, in any kind of dispute except those covered by the Railroad Labor Act. In four ways the activities of the present Service are more limited than were those of its predecessor: First, the new law directs the Service to avoid intervening in disputes which "have only a minor effect on interstate commerce if State or other conciliation services are available." Formerly, any party to a dispute was free to ask either his state or the federal agency to intervene, and frequently the combined efforts of both were utilized. Second, in disputes arising over the application or interpretation of an existing agreement, the Service is instructed to intervene "only as a last resort and in exceptional cases." Third, as indicated later, the responsibility for settling jurisdictional disputes is now a function of the National Labor Relations Board. Fourth, disputes threatening the national health and safety are handled primarily by the President and his appointed fact-finding boards although the Service does intervene at one stage in the process of settlement.

In one important respect the responsibilities of the Service were expanded by the Taft-Hartley Act. The law now requires that the Service be notified thirty days before the termination of all agreements (in industries covered by the Act) where the parties themselves have not negotiated new terms. The Service then decides

whether or not it shall intervene. This provision is probably of more practical value to unions than to employers because it forces the employers to participate in the conciliation process; traditionally employers have been much more reluctant than have unions to seek the services of the government agency.

Government conciliators are engaged in efforts to settle questions in dispute before strikes and lockouts occur, or to bring the latter to a speedy settlement if they have already begun. The Conciliation Service may enter a case at the request of either party to the dispute, or at the request of some representative of the public, such as a mayor, governor, or congressman. It may also intervene upon its own motion, but this is done only in the more serious disputes when it is believed that the public interest warrants. Government conciliators have no power of coercion or means to enforce their recommendations, although parties to a dispute are required by law to participate fully and promptly in conferences called by the Service.

A conciliator has no set formula of procedure when he is called in to help settle a dispute. Whenever possible, he tries to get the parties concerned to discuss their differences in conference, in which case he acts as a conciliator. Sometimes, especially during the early stages, either or both parties may refuse to meet together. He then acts as a mediator, holding separate conferences with the respective sides, adjusting the minor points of misunderstandings or differences, and getting each side to agree upon what major points can or shall be further negotiated. If either or both sides still refuse to discuss these major points together, the conciliator may draft a plan of settlement independently and submit it to the parties as a recommendation, or he may obtain the approval of both sides to have the matter arbitrated. He may be asked to select an arbitrator, or the parties may request him to serve as arbitrator. As an arbitrator, his decisions are final and must be accepted by both parties in accordance with their voluntary agreement to accept such arbitration.

The role of the conciliator has been described by one authority as follows:

It is the role of the conciliator to help the parties choose peace. As a representative of the public interest, he represents the generalized interest of labor and of management for peaceful and therefore constructive labor relations. More than this, he represents the public interest in avoiding the secondary effects of a stoppage of production, the loss of worker income, the loss of profits, and the emotional conflicts that result. In part his job

is to help the parties see more seriously and vividly their own self-interest in a peaceful settlement. More than that, he has a responsibility to insist that the parties look realistically at their public responsibility to seek a peaceful way out.

When the conciliator enters an industrial dispute it is his responsibility to size up the reasons why a deadlock has developed and to help the parties get beyond it. He needs to help each party to clarify its own objectives, to weigh them again in the light of the facts, to understand the objectives and problems of the other party, and to aid them in reaching a situation in which they can realistically make their own choice of alternatives.

The conciliation process is a part of the collective bargaining process and is not a substitute for it. The conciliator cannot substitute his judgment for those of the parties. He cannot decide for them what their goals are and at what point their divergent goals should be balanced. He cannot substitute his judgment for their measuring of the comparative economic strength of the parties. He must be certain that the parties accept the necessity to make their own choices and the responsibility to live up to their agreements.⁴

Fact-finding Boards

When fact-finding boards were appointed after the close of World War II, many nonpartisan persons were hopeful that the fact-finding principle would prove to be the panacea for the prevention and settlement of strikes. These hopes were soon dashed by the reaction of employers and unions, both of which opposed the principle of compulsory fact-finding by government boards. Fundamental to adequate fact-finding in a wage dispute is knowledge of a company's financial condition, but employers expressed vigorous opposition to having "outsiders" examine their books.⁵ The attitude of most of the unions as well as the employers was that the

fact-finding procedure and its many varieties and forms hinder rather than help the promotion of industrial peace. They place a premium on the pro-

⁴ W. Ellison Chalmers, "The Conciliation Process," *University of Illinois Bulletin*, Urbana, Illinois, 1948.

⁵ When this issue first arose, President Truman said: "In appointing a fact-finding board in an industrial dispute where one of the questions at issue is wages, it is essential to a fulfillment of its duty that the board have the authority, whenever it deems it necessary, to examine the books of the employer. That authority is essential to enable the board to determine the ability of the employer to pay an increase in wages where such ability is in question. Ability to pay is always one of the facts relevant to the issue of an increase in wages. This does not mean that the Government or its fact-finding board is going to endeavor

fessional technicians who in their role of outsiders make judgments unrelated to the operating experience of workers or employers. They provide an entering wedge for the usurpation by government fiat of the private responsibility of adjusting the work arrangements in the light of the practical relationship between workers and employers.⁶

Regardless of the fears of both management and unions that fact-finding boards are an entering wedge to compulsory arbitration, they continue to be used in sharply contested disputes in major industries where work stoppages seriously impair the entire economy. In a democracy, crises occasioned by group conflicts must be resolved through the pressure of public opinion, and the public must rely upon the judgment of impartial persons who have made a thorough study of all sides to the dispute.

National (Railroad) Mediation Board

Labor relations for the railroad and air transport at the present time are governed by the 1934 and 1936 amendments to the 1926 Railway Labor Act. These created a three-man National Mediation Board appointed by the President, and a National Railroad Adjustment Board consisting of eighteen carrier (employer) representatives and eighteen union representatives. The Adjustment Board, with headquarters in Chicago, is divided into four separate divisions, each of which has jurisdiction over a distinct class of employees, namely, train and yard service, shop crafts, and so forth.

In this arrangement for handling labor relations on the railroads, a clear distinction is made with respect to the basic differences in the character of labor disputes, that is, those over the interpretation and application of existing agreements, and those over the terms of a new

to fix a rate of return for the employer. It does mean, however, that since wages are paid out of earnings, the question of earnings is relevant." The President's statement also declared that the information obtained from the books of an employer should not be made public.

The test case came in the General Motors dispute in 1945-1946, in which the union was insistent that the company could afford a wage increase without increasing the prices of its product. The company refused to allow the fact-finding board to examine its books and withdrew from the hearings in protest against the board's decision to consider the question of the company's ability to pay as one factor in its wage recommendation. The strike was finally settled by allowing both a wage increase and a price increase.

⁶ President William Green of the American Federation of Labor, in testimony before a special committee of the House Labor Committee on July 1, 1946.

agreement—wages, hours, and working conditions—and questions concerning bargaining units and representation agencies.

The Adjustment Board handles disputes “growing out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions.” Its decisions may be enforced by civil suits in federal district courts. If the bipartisan board is unable to agree, it must appoint a referee; if it cannot agree in a selection, the National Mediation Board appoints the referee.

The National Mediation Board intervenes in the other two classes of disputes. By holding elections or by other means it certifies who shall represent the workers in their collective bargaining. On request of either party to a dispute involving changes in pay, rules, or working conditions, or on its own motion in cases of emergency, it intervenes and through mediation attempts to bring about an agreement. If its mediating efforts fail, the Board endeavors to induce the parties to submit their controversy to arbitration, the arbitration board to be selected by the parties concerned. If they cannot agree on the selection, the Board is authorized to name the members of the arbitration board.

If arbitration is refused by either party and the dispute should “threaten substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service,” the Board is required to notify the President, who may appoint an emergency board to investigate the facts and report thereon within thirty days. During this time no change, except by agreement, may be made by the parties to the controversy in the conditions out of which the dispute arose. The law does not require compliance with the recommendations of the emergency board, although the publication of the findings makes it difficult for either party not to follow its suggestions.

The National Labor Relations Board

The National Labor Relations Board was originally established in 1935 but its functions and methods of operation were materially changed with the enactment of the Taft-Hartley Act in 1947. The activities of the original Board were confined to two general types: determining and certifying employees' collective bargaining agents, and preventing employers from engaging in unfair labor practices. The duties of the present Board are expanded with respect to both the determination of unfair labor practices and the holding of employee

elections. While formerly it dealt only with five unfair labor practices of employers, it now must also deal with an additional six unfair labor practices forbidden to unions.

Incident to these unfair labor practices the Board must determine, among other matters, when a union's initiation fees are excessive; whether or not an employee has been "coerced" to join or not to join a union; whether or not a discharged employee under a union-shop contract who has been expelled from the union has been discharged for reasons other than for failure to pay dues; whether or not an employee has been discharged "for cause" so as to make him ineligible to receive back pay; whether or not a given group of employees are justified in refusing to pass a picket line.

In the certification of bargaining agent the Board must in all cases hold elections, whereas formerly it was permitted to certify a union on the basis of a check of membership cards when both parties agreed to such a procedure. The Board also has the duty of holding elections to determine whether or not a union shall be *decertified* at the close of a contract period whenever an employer or group of employees assert that the existing bargaining agent no longer represents a majority of the employees. If a certified union seeks a union-shop contract, the Board must hold an election if 30 per cent of the employees ask for a secret ballot. If a like number expresses a desire to have the union-shop contract annulled, the Board must hold an election.

The most marked change in the character of the functions of the Board provided by the Taft-Hartley Act has to do with its responsibilities toward certain kinds of strike and boycott activities, and its power to seek injunctions. Jurisdictional disputes are now classified as an unfair labor practice and the Board is empowered to make determinations when the parties concerned are not able to reach mutually satisfactory settlements within ten days after the filing of charges. In connection with jurisdictional disputes the Board may seek injunctive relief "in situations where such relief is appropriate." It is mandatory for the Board to seek injunctions in the case of secondary strikes and boycotts, strikes whose purpose is to force an employer to recognize an uncertified union or to recognize another union than one already certified, and strikes to force an employer or self-employed person to join a labor or an employer organization.

The Board is empowered upon complaint to investigate charges

of unfair labor practices, to hold formal public hearings, to issue subpoenas requesting the attendance and testimony of witnesses and the production of any written evidence, and to issue cease and desist orders from unfair labor practices. To secure compliance, the Board must petition the appropriate Circuit Court of Appeals and the court is authorized to grant such temporary relief or restraining order as it deems proper, and to make a decree enforcing, modifying, or setting aside the Board's order in whole or in part. In like manner, any person aggrieved by a final order of the Board may obtain a similar review by filing in the appropriate Court of Appeals a petition that the order be modified or set aside. All decisions of the Circuit Courts, of course, are subject to appeal to the United States Supreme Court.

"National Emergency" Strikes

There are at present two federal laws which provide arrangements for the adjustment of labor disputes where stoppages endanger the national interest, but neither of these laws explicitly forbids work stoppages nor provides for compulsory arbitration. The Railway Act, as indicated above, provides machinery for mediation, voluntary arbitration, and emergency fact-finding boards, and disallows stoppages during the specified time these agencies are given to resolve the dispute. But the law does not compel the acceptance of the recommendations of the boards, and there is nothing in the law to prevent stoppages from finally taking place.⁷

According to the terms of the Taft-Hartley Act, threatened stoppages affecting "an entire industry or a substantial part thereof" which would "imperil the national health or safety," can be outlawed for as long as four and one-half months, but if the various outlined procedures fail to bring about a settlement the law simply says the dispute shall be referred to Congress. The prescribed procedure is as follows: Any time within or at the close of the required sixty-day notice of a threatened strike, the President may appoint a board of inquiry to investigate the issues and make a report to him. He may thereupon direct the Attorney General to apply for an injunction against the strike or threatened strike, which the Court may grant if it determines that the national health or safety is imperiled.

While the strike is held up, the parties must make an effort to settle

⁷ Recent strikes in the railroad industry have been terminated by exercise of war emergency powers of the President.

their dispute with the assistance of the Mediation Service. Concurrently, the President may reconvene his board of inquiry which, within sixty days, must submit a new report giving the current status of the dispute, including the last settlement offered by the employer. This second report is made public by the President, and within fifteen days the National Labor Relations Board must conduct an election to determine whether or not a majority of the employees wish to accept the employer's last offer. Five days after the vote is taken, the results must be certified to the Attorney General who then moves the court to discharge its injunction. Thereupon the President sends a report to Congress "for consideration and appropriate action."

PART FIVE

Foreign Relations of American Unions

Chapter 10

INTERNATIONAL LABOR MOVEMENTS BEFORE WORLD WAR II

Organized workers of every country have always felt the need for establishing common bonds with workers' organizations in other lands. Throughout the years, this consciousness of similar needs and common problems has found expression in various kinds of movements. The forms of co-ordinated action which have been pursued at various times have been motivated by different goals, and even where there has been agreement as to final goal there have been sharp divisions as to methods for attaining the ultimate goal. Of utmost significance is the fact that at all times the associated efforts of workers' groups have been colored, and upon occasion decisively influenced, by the political situation within and among their governments.

The impetus for international co-ordinated action by workers has been the same as for organized action on the national level, namely, the insecurities resulting from competitive trade and the desire of workers to procure a greater share of the benefits from technological advancement. International labor movements¹ are, in one sense, a

¹ In this chapter the term "international" refers to movements and organizations including labor unions of most or all continents. As indicated in footnote on page 46, many American unions have "International" attached to their names but this simply means that they have members from Canada and the United States.

natural concomitant to international trade. When workers of one country have been able to obtain better wages and hours only to find their achievement is a Pyrrhic victory because of competition from low-wage foreign countries, they are forced to realize that no one group can advance far beyond all others. Inevitably there is a desire to join hands for mutual protection and advancement. Similarly, industrial workers everywhere have found a common cause in the unemployment and other insecurities arising from our competitive economic life. Cyclical depressions are world-wide, and in their search for remedies workers have felt the need for international co-operation.

Mingled with these motives which can be labeled "self-interest," has been the notion that organized labor should be the standard bearer of reform; that wage earners because of their preponderant numbers and consciousness of need for reform, are best able to bring about world-wide social and economic reorganization. Such aspirations have been the foci of bitter factional fights among labor groups as well as conflicts with their national governments. At the same time, certain governments have at times exploited these aspirations of workers for world-wide reform for their own imperialistic ends.

This points up the fundamental problem inherent in any international endeavor by labor groups—as well as other private groups of citizens. What kinds of associated activities can labor unions of different countries pursue independently of their several governments without violating basic national loyalties? How can an international labor movement avoid being duped by one of its national groups which seeks to use the movement for the benefit of its own government, usually by means of some laudable sounding aspiration such as world-wide peace or broad social reforms?

A study of the major international workers' organizations, past and present, will reveal the nature of this complexity. For that reason they are briefly reviewed here even though the American labor movement has not actively participated in some of them.

EARLY INTERNATIONAL EFFORTS

During the first half of the nineteenth century there was no formal international organization of workers, but the workers in one country

frequently extended financial and moral support to groups in other countries during specific struggles. Under the influence of the humanitarian movement of the times, which ignored political boundaries and called for reform of "society," the organizations of skilled artisans in England, Belgium, France, Italy, and to a lesser extent in the United States, began to think of themselves as a "class" which in all countries was being "pushed deeper and deeper into the mire by the power of capital and the power of the law." In 1834 the workers of Nantes wrote to the workers of London: "Brothers and Friends! Do not let our Union be stopped by the seas or rivers that mark the boundaries of States. Let us put into communication . . . all the great centers of industry in the world." Four years later William Lovett, prime mover of the London Working Men's Association, published an "Address to the Working Classes of Europe" in which he suggested the formation of an international labor organization. "Fellow producers of wealth!" he wrote, "Seeing that our oppressors are united . . . why should not we unite in holy zeal to show the injustice of war, the cruelty of despotism, and the misery it entails upon our species?"²

After the panic of 1837, which continued throughout the turbulent forties, the idea of internationalism took on more concrete forms and enlisted the support of "intellectuals" and philanthropists who questioned the survival of an industrial system which was marked by great contrasts of wealth and poverty and which was subject to periodic panics and crises. In 1847 a "Central European Committee" was set up, composed of Chartists in London and other groups from Paris and Brussels. At one of its early meetings Karl Marx and Friedrich Engels read their declaration of program, later elaborated into the Communist Manifesto, which wound up with the passionate appeal "Workers of all Lands, Unite!"³

² Quotations are from *Labor and Internationalism* by Lewis L. Lorwin, The Macmillan Company, 1929, pp. 13, 16, 18.

³ Discussion of the Marxian philosophy is obviously impossible in this brief historical review. Most of the ideas in the "Manifesto" had been common currency in the revolutionary circles of the period, namely, that the struggle of workers was international in essence because national differences were disappearing by the growth of world trade, and by the increasing uniformity of industrial and social conditions. Marx and Engels brought this thinking into focus by emphasizing that a communist society could be brought about only by workers themselves, organized into a separate political party and gaining control of their governments. When this had been attained in all countries, or "at least the civilized countries," a world-wide workers' dictatorship could be established.

THE FIRST INTERNATIONAL (1864-1876)

With the new era of expansion ushered in with the discovery of gold in California, the opening up of new lands in western United States and in Australia, the rapid extension of railroads and ocean transportation, the waves of revolutionary thought and action subsided. Skilled workers in Europe, benefiting from mass migrations to the United States which relieved the pressure of population, turned their attention toward building up strong national labor organizations to gain a larger share in the prosperity of the 1850's. Revolutionary concepts of social reorganization of society receded into the background.

But the concrete problems attendant upon international trade and migration of workers continued. The great influx of workers from the Continent into the trades of London, many of them imported by British employers as strikebreakers, which took place during the latter half of the 1850's, aroused the British trade unions to the need for international action. Communications were initiated with workers' organizations on the Continent, and in 1864 a meeting was held in London attended by representatives from Italy, Poland, France, Germany, and Switzerland, as well as refugees then living in London, including Karl Marx. This meeting decided to launch an international labor organization, and Marx was appointed to draft the "Address to the Working Classes" (known as the "Inaugural Address") as well as the rules for the new organization which was called the International Working Men's Association. In these documents Marx toned down the expressions of his Communist Manifesto, and avoided all reference to Communism in order to get the different groups with diverse views willing to unite.⁴

The rules defined the purpose of the International as that of a central medium of communication and co-operation among workers' societies in different countries having the same aims, namely, mutual help, progress, and the complete emancipation of the working classes. Membership in the Association was open to local or national workers' societies; each was allowed to organize in its own way and to elect a delegate to the annual congress which elected a General Council. The

⁴ His tongue-in-cheek attitude is revealed in a letter he wrote to Engels in which he said: "I was compelled to put in the 'Preamble' two phrases about 'duty' and 'right,' also 'truth, justice, and morality' which, however, are so placed that they can do no harm." (Quoted in Lorwin, *op. cit.* p. 37.)

functions of the General Council were to keep members informed of the labor market in all countries, to make studies of labor conditions, to bring the same problems to the attention of working people of different countries, to collect statistics, to publish a bulletin, to promote the national consolidation of labor organizations in each country, and to help its members in search of work in foreign countries.

From the beginning there was friction among the members of the Council, not only on questions of politics, economics, and religion, but also as to the purpose of the organization which they had brought into being. The English trade unionists wanted to use it as a means of spreading trade unions of the British type on the Continent; Mazzini and the other Italians saw in it the germ of a new secret society for the promotion of republicanism in Europe; some of the French (the Blanquists) hoped to turn it to the purposes of insurrection, while the followers of Proudhon (the "mutualists") wanted to use the organization for international credit and the promotion of co-operatives which, they believed, were the means for emancipating workers to bring about social justice. The Swiss members were adherents of the "Neo-Christian humanitarian" principles, and the Belgians advocated collective ownership of land and industry. A few of the members shared with Marx the idea that the new Association was the first step toward a general union of workers in all countries for the purpose of a complete socialist reorganization of society.

In spite of these diffuse views, the first Congress was able to adopt resolutions which today seem quite moderate, namely, the eight-hour day, international protective laws for women and children, and the abolition of night work for women. During the next few years the Association was able to render financial aid to strikers in a number of countries and to prevent importation of strike breakers. As a result, its membership and prestige grew.

In 1870 the recently established National Labor Union in the United States expressed an intention to join, largely because the International promised it would seek regulation of immigration into the United States. This affiliation never took place, however, for by the following year the First International was a moribund organization. Marx had become the dominant spirit, evidenced by the resolution passed by the fourth Congress (1869) which recommended the formation of national and international unions not only to defend workers against their employers, but also to have them become "cells of the society

of the future." Because of the growing Marxian influence, and for other reasons, the British trade unions had been losing interest, and they were completely alienated when Marx published as an official document of the International his "Civil War in France" in which he hailed the 1871 Commune as the first revolution in which the workers proved themselves "capable of social initiative."⁵

The British members resigned, and there was further disintegration as a result of suppression of workers' organizations throughout Europe following on the heels of the unsuccessful Paris Commune. It was also weakened as a result of the clash between Marx and the anarchist Bakunin. Bakunin denounced Marx's concept of a political organization based upon working class dictatorship as "autocratic Communism" which would result in slavery for the people. To Bakunin, the road to freedom and equality was through revolution which would at once abolish not only property but also governments, and transform society into a flexible system of co-operative associations.

The fight came to a climax at the 1872 Congress when the Marxian faction decided to move its headquarters to New York, out of reach of the Bakunin followers. Internal squabbles continued for the next two years until the International was formally dissolved. Although the International had "sections" in most of the large cities in the United States, centering in New York and Chicago, the maximum membership probably never exceeded a thousand and was mostly confined to German immigrants. A number of these later repudiated socialism and became leaders in the new trade union movement of the American Federation of Labor. Some turned to anarchism, forming a loose organization called the "Black International" which is best known through its involvement in the Chicago Haymarket riots of 1886.

THE SECOND INTERNATIONAL (1889-1914)

The 1880's was a time of great ferment in this country and in western Europe among workers and "friends of workers" who were intensely dissatisfied with the kind of world industrialization had brought forth, but who could not agree upon the route of salvation. In

⁵ The International Workingmen's Association was not responsible for the Paris Commune although its French members took a leading part in it.

this country the chief protagonists were the adherents of the "one big union" idea exemplified in the Knights of Labor versus the believers in "pure" trade unionism. On the fringe were the revolutionary anarchists and the socialists, some of the latter adhering to the idea of violent revolution, but most believing in peaceful gradualism. In England where trade unions had existed for some time, a new group of union leaders, under the influence of the Fabians,⁶ were attacking the old British trade unions as "burial societies,"⁷ and seeking to connect unionism with socialism—purged of Marx's revolutionary tactics. On the Continent the conflicts were mostly among socialist groups who differed over methods of procedure and organization.

All groups recognized a need for international co-operation and after a number of preliminary conferences, what later became the Second International was formed in Paris in 1889. The American Federation of Labor was not represented at this meeting but sent "greetings." This first congress committed itself to a program for international legislation, rejecting the arguments of those who held that labor legislation was incompatible with socialist principles. It agreed to support the movement for an 8-hour day, which the American Federation was launching in this country, and made arrangements for an "international manifestation" for the 8-hour day on May 1, 1890. (Thereafter May Day became the day of demonstration for socialists throughout Europe, but the American labor movement disassociated itself from the idea for a socialist May Day and was instrumental in getting the September Labor Day as a legal holiday in this country.)

Like its predecessor, the Second International was ever torn by conflicting factions. The anarchists, who were advocates of the general strike and terrorism, were soon excluded (1896). A few years later, however, the "direct action" doctrine was revived by the French syndicalists who sought domination of the International. Along with these conflicting tendencies was the issue of unionism versus socialism—in all its different shades. By steering a cautious course the social-

⁶ The Fabian Society was organized in 1883 by a group of English intellectuals, including the Sidney Webbs, H. G. Wells, G. B. Shaw, G. H. D. Cole. The Fabians were socialists who, however, rejected Marx's doctrines of class war, surplus value, and the materialistic interpretation of history. The Fabian Society became the intellectual godfather of the present British Labour Party.

⁷ Reference to the fact that most of them had taken on the aspect of "friendly societies" whose chief function was providing insurance and death benefits.

ists were able to gain ascendancy and in 1900 formed an International Socialist Bureau which they considered the true heir to the First International; in their words, the Bureau was "the Parliament of the Proletariat" whose resolutions would "guide the proletariat in the struggle for deliverance."

Under the new arrangements the Second International became a loose federation of national socialist parties and trade unions. The British Labour Party belonged; the American Federation of Labor was definitely hostile. Leadership was assumed by the German-Austrian groups whose socialism was colored by "revisionism" which rejected the Marxist theory of the progressive worsening of the working classes, played down social revolution as a "final end," and advocated parliamentary tactics and alliance with nonsocialists for the attainment of social reform.

The Second International, even during its period of greatest influence⁸ and cohesion, was ever torn over the issue of national interests and the socialist attitude toward war. Socialist doctrine held that war was caused by the capitalistic system and that socialists should not become involved in the battles of the capitalists. Nevertheless, it was conceded that socialists of any nation had the right to oppose "offensive war." Some members believed that a strong international socialist movement could prevent war by reforming capitalism; others held that a war was inevitable and that a general war could be turned into a general revolution to overthrow capitalism.

The war clouds which had been hanging over Europe for more than a decade suddenly burst in July, 1914, and the confusions and contradictions within the International came to its supreme test. On the day that Germany declared war on France, having already crossed the Belgian frontier, the German socialists voted overwhelmingly in favor of their fatherland. Threatened with immediate invasion, the large majority of the socialists in France and Great Britain allied themselves with their governments. The Second International collapsed, and with bitter recriminations against the Germans who had played the dominant role in the International. Socialists in the allied countries accused them of using the movement for furthering the cause of Pan-Germanism. Samuel Gompers claimed that the International was promoted by Bismarck and the German militarists in anticipation of the

⁸ On the eve of World War I the Second International claimed 12 million followers in 22 countries.

coming world war as a means of spreading pacifism and undermining the morale in enemy countries.

THE THIRD INTERNATIONAL

The Russian revolution and the rise of Soviet dictatorship caused a complete break in international socialism. Remnants of the Second International tried to recoup their forces after the close of the First World War but they were outmaneuvered by Lenin who demanded a new, more revolutionary and centralized organization. At a conference held in Moscow in March, 1919, the Third International was launched with a Manifesto calling for an immediate world-wide revolution. At the next year's meeting, also held in the Kremlin, delegates from thirty-seven countries attended, including leaders from the American Industrial Workers of the World, who were there converted from their former syndicalist notions to adherence to Lenin communism.

The uprisings and civil wars which were taking place in Austria, Italy, Germany, Hungary, and elsewhere following the Armistice, led the Bolsheviks to believe that the predicted world revolution was within its grasp. The 1920 congress of the Third International proclaimed "the critical hour has struck" and exhorted workers and Communists everywhere not to lose "an hour of invaluable time" and to fight the moderate socialists whose reformist tactics were only prolonging the struggle. It urged the formation of Communist "sections" in every country which would give every possible support to the Soviet Republic and unswerving obedience to the central power at Moscow. Thus the Comintern, unlike the former Internationals which were loose federations of autonomous national bodies, was established as a highly centralized, single body with national "sections" subservient to the central authority.

By the time of the 1921 congress of the Comintern, events throughout the world forced Lenin to admit that revolutionary developments had slowed down. Accordingly new tactics were called for, namely, the building of "cells" or "nuclei" within labor unions and all other possible organizations, from "works councils to sports, clubs and musical circles," and a united front with socialist parties as a strategic move to strengthen Communist influences. Most of the existing social-

ist parties refused, and by 1922 they were able to unite into a Labor and Socialist International which in structure and policy was like the Second International.⁹ In America the "boring from within" tactics took the form of the Trade Union Educational League which, because of the vigorous opposition of the American Federation of Labor, never gained much influence in the regular trade union movement.

In 1928 there was a turnabout in the policy of the Third International in favor of separatism, which was expressed in this country by the conversion of the Trade Union Education League into the Trade Union Unity League. This attempt to establish a dual labor movement (see chapter 2) was unsuccessful, and within six years the united front tactics were again resumed. Pursuing their "boring from within" in this country, some Communists became leaders in several of the newly established C.I.O. unions. Politically, the "United Front" became the "Popular Front Against Fascism." When the Hitler-Stalin Pact was signed in 1939 the rallying cry was "Communism against war and (British) imperialism." This was to last only a few months, however, for when Hitler invaded Russia in June, 1941, the "Imperialist War" became the "People's War" and Russia was forced to turn to the former "warmongers" for help. In return for military aid and as a gesture to Western public opinion, the Soviet authorities formally dissolved the Comintern in May, 1943. In spite of its formal dissolution, events since that time indicate that the inner and secret core of the Third International continued to carry on all during World War II. This made it possible for the Soviets to be ready with plans for the establishment of a new international labor organization as soon as hostilities ceased, as is seen in the next chapter.

INTERNATIONAL FEDERATION OF TRADE UNIONS

During most of the time when the various international organizations with Marxist leanings were active, the "regular" trade unions

⁹ Space does not permit an account of all the meetings and discussions of the disparate groups which took place during the years immediately after World War I. The moderate socialists, mostly from the allied countries, met several times in an attempt to revive the Second International. A "center" group, opposed alike to the reformism of the Second International and to the radical Third, met in Vienna in 1921 and formed what was called the "Two-and-a-half" International. It soon became convinced that unity with the Communists was impossible and in 1922 it merged into the Labor and Socialist International.

were developing organizations of their own. In these efforts the American Federation of Labor took an active part. The first type of international union organization were associations of workers employed in the same craft or industry, called "Trade Secretariats." Among the earliest were the typographical workers from a number of countries, including the United States, who held an international conference in Paris in 1889. A few years later Samuel Gompers took an active part in the movement to organize an international union of seamen and dockers. Between 1904 and 1909 at least seven A.F.L. unions became members of their respective International Trade Secretariats.

As early as 1893 Gompers sought to enlist the British trade unions in forming an international organization comprising unions of all trades which should be entirely distinct from the socialist international. The effort failed, although the practice was established of carrying on mutual correspondence and exchange of fraternal delegates between Great Britain and this country. To facilitate friendly relations with Europeans, many A.F.L. unions adopted a policy of free interchange of union cards which permitted skilled workers immigrating into this country to become union members without the payment of initiation fees.

Meanwhile various labor organizations in Europe had formed an International Secretariat of National Trade Union Centers and in 1909 Gompers attended its biennial conference as an observer. Upon its promise that labor in each country should be free to decide its own policy and methods, the American Federation of Labor voted to become a member, although with some misgivings as to its socialistic tendencies. In recommending affiliation Gompers stated before the 1909 A.F.L. convention: ". . . though the International Secretariat leaves much to be desired, yet the best interests of the workers of America will be served by our adherence thereto . . . the spirit of international fraternity would be immeasurable. Our adherence would hasten the establishment of an International Federation of Labor." By 1913 this wish was fulfilled and the newly named International Federation of Trade Unions voted to hold its next conference in San Francisco.

Re-Establishment after World War I

Before this gathering could be held, war broke out and all formal international organizations were dissolved although ties were never

completely severed. In July, 1916, an Inter-Allied Trade Union Conference was held at Leeds, England, which voted in favor of demanding special labor clauses in the Peace Treaty to "insure to the working class of all countries a minimum of guarantees of moral, as well as of a material kind, concerning the right of coalition, emigration, social insurance, hours of labor, hygiene, and protection of labor, in order to secure them against the attacks of international capitalist competition."¹⁰

Within a month after the signing of the Peace Treaty at Versailles (June, 1919) an international congress of trade unions was held at Amsterdam attended by delegates from fourteen countries, including Gompers and others from the American Federation of Labor. There were stormy sessions over the question of war guilt, with the German delegates voting for, retracting, and finally reaffirming a resolution that Germany was the war aggressor. There were also acrimonious discussions over the Labor Convention of the Peace Treaty which Gompers and the British delegates defended as an achievement since "for the first time in history, the rights, interests, and welfare of the workers received specific recognition in an international peace treaty." The American and British delegates lost on this motion as well as one endorsing the League of Nations, the German and other Continental delegates voting for a critical resolution which included the statement that the "labor classes" should prevent the League of Nations from becoming "the center of reaction and oppression" by establishing themselves as "an effective controlling organ" of the League. After additional clashes over questions of organizational structure, a constitution was finally adopted, and the International Federation of Trade Unions was re-established with headquarters in Amsterdam.

Withdrawal of A.F.L.

From the start the I.F.T.U. was in conflict with the Third International which was vigorously seeking to win over all labor movements. In 1921 the I.F.T.U. took drastic action by debarring all organizations which had affiliations with the Moscow International. Nevertheless, the I.F.T.U. was dominated by its socialist members. Because of this, and the fear that it was destroying the autonomy of its constituent national

¹⁰ Part XIII of the Treaty of Versailles, known as the Labor Convention, fell far short of incorporating all these demands, but included some general principles and established an International Labor Organization for their implementation. See next chapter.

organizations, the American Federation of Labor withdrew in 1921. The letter of declination stated: "The American Federation of Labor is most anxious to be a part of an international trade union movement. . . . We shall be glad of the opportunity to cooperate and work with the toilers of all lands . . . but in so doing we must decline to be a part of a movement which undertakes the destruction of the American labor movement. . . . If such an International Federation of Trade Unions will vouchsafe and guarantee the autonomy and independence of the A.F.L. and make its affiliation possible, we shall join it regardless of the policies and theories for which the various national movements may declare in their own countries."

During subsequent years there were repeated efforts toward reconciliation and the A.F.L. continued its "fraternal" relations with the British and, at various times, with other European trade union movements. Individual A.F.L. unions, moreover, extended their international affiliations. For practical reasons of mutual protection, twelve unions representing half the A.F.L. membership, joined their respective International Trade Secretariats and thus were indirectly connected with the I.F.T.U. For the most part, however, the American labor movement followed the general isolationist tendencies of our government during the 1920's, drifting away from European affairs but seeking to build up closer relations with labor in Latin America.¹¹

So far as the I.F.T.U. was concerned, it had a precarious course to follow with the divergent internal tendencies of its "pure" trade unionists and its socialist members, in addition to outside communist pressures. Also, there were conflicts among its various national groups, each group being influenced by its own government's actions and endeavors. German reparations and admission of Germany into the

¹¹ Early in the 1920's Samuel Gompers was instrumental in organizing the Pan-American Federation of Labor which actually was a Mexican-American co-operative endeavor. But the A.F.L. found it difficult to overcome South American hostility resulting from the United States "dollar diplomacy." Also the growing radicalism of Mexican labor, as well as differences over Mexican immigration into this country which the A.F.L. wanted to restrict, caused the A.F.L. to lose interest in its inter-American connections and the Pan-American Federation ceased to exist within a few years. During the 1930's the A.F.L. attempted to renew relations, especially with the Confederacion Regional Obrera Mexicana (C.R.O.M.), but by that time the bulk of Mexican organized workers had become affiliated with the more radical Confederacion de Trabajadores de Mexico (C.T.M.), organized by Lombardo Toledano. In 1948 Toledano was expelled and the C.T.M. dropped its Communist connections.

League of Nations, French occupation of the Ruhr, the status of small nations, imperialism, limitations of armaments, were as hotly debated at its meetings as they were in the halls of parliament and the League of Nations. In spite of its disparate tendencies, which were a reflection of the general world situation, the International Federation of Trade Unions wielded considerable influence during the period between the first and second world wars. Its effectiveness was not in its powers of coercion but its influence throughout the trade union movements of the world. Through its central office, labor organizations of different countries were kept informed of each others affairs and their common problems. It could mobilize the labor leaders of different countries for common action when serious problems arose. It served as the spokesman for the free trade union movements of the world before the League of Nations, and as a steering committee on strategy at meetings of the International Labor Organization.

With the spread of Fascism and Communism during the 1930's the American Federation of Labor was inclined to be more sympathetic with the middle course which the I.F.T.U. was trying to pursue, and to question the desirability of its own detached position. The I.F.T.U. was anxious to have American representation and hinted that it was willing to consider a rival branch, the newly established C.I.O. Thus prodded, the American Federation of Labor reaffiliated with the I.F.T.U. in 1937. Active participation was just getting underway when the Second World War broke out. Leaders of European labor unions were forced to flee their countries as refugees, or became immersed at home in immediate war activities. The International Federation of Trade Unions, the first co-operative association of free trade unions throughout the world, became a casualty of war.

Chapter 11

INTERNATIONAL ACTIVITIES SINCE WORLD WAR II

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A year before the end of World War II, in the spring of 1944, the American Federation of Labor took steps to revive the International Federation of Trade Unions, including the raising of a substantial fund to help finance its rebuilding. The British Trade Union Congress, the most influential labor movement in international circles, had other plans. The British took the position that the "unity that has been built up in the furnace of war (should not) be thrown aside in the days of peace" and that labor should "fight for unity between all states despite differences of social systems."¹ Accordingly, they called for a conference of unions of all countries to form a new type of organization which would include the C.I.O. and Soviet representation. The British urgently sought the co-operation of the American Federation of Labor but the A.F.L. emphatically declined to participate saying, "Their (British) perspective must be influenced by the suffering which they have undergone. . . . However, we feel we fought this war to end totalitarianism and human slavery throughout the face of the earth. . . . For that reason, we of the American Federation of Labor are unwilling to support a policy that in effect would continue human slavery when the war is won . . . if a world conference should have been called, it should have been called by a world agency . . . in which . . . is represented free democratic trade unions. . . . Then we do not understand why those dissident forces in our own country who have launched upon a dual movement . . . should participate in such a conference and en-

¹ Address of Arthur Horner, delegate from the British Trades Union Congress to the 1944 A.F.L. convention.

deavor to tell the American Federation of Labor, the great American labor movement that has functioned for three-quarters of a century, what it shall do."²

The Congress of Industrial Organizations gladly accepted the invitation, mainly because they felt, like many other people during the closing months of the war, that it was possible to work with Communists without being dominated by them. An important factor, however, was the keen desire of the C.I.O. to participate in international labor activities—something which they had not been able to do because of the unwillingness of the A.F.L. to share representation with them on international bodies. Undoubtedly, also, the Communists then connected with the C.I.O. wielded a subtle influence although the leaders who took the initiative in the decision were strongly anti-Communist.³

WORLD FEDERATION OF TRADE UNIONS

In September, 1945, delegates from 65 national labor organizations, claiming a membership of 66 million workers in 56 countries, met in Paris where a new World Federation of Trade Unions was established. Before the adoption of the constitution there were heated debates as to the objective, structure, and program of the new body. The British insisted that it should be composed of bona fide trade unions whose autonomy should be guaranteed; also that the new organization should not be drawn into "the maze of politics," which some of the delegates seemed to want, but should "carry on practical day-to-day trade union work . . . and to secure practical results for the individual members of our unions."⁴ The constitution adopted seemed designed for that purpose and to give fair representation to all national bodies, large and small, although the Trade Union Council of the U.S.S.R., which claimed a membership of over 27 million, had five delegates on the governing council as against three each for Great Britain, France, and the United States, and one each for the smaller countries. Provision was made for the Trade Secretariats formerly affiliated with the International Federation of Trade Unions to transfer to the new organization as trade departments.

² Proceedings of the 1944 A.F.L. Convention, p. 454.

³ The outstanding C.I.O. leaders in this effort were Sidney Hillman and James B. Carey. Hillman had successfully fought the Communists in his union, the Amalgamated Clothing Workers, during the 1920's; Carey spearheaded the drive to oust the Communists from the C.I.O. during 1949-50.

⁴ *Monthly Labor Review*, January, 1946, p. 48.

The great hope for world-wide labor co-operation was soon shattered—along with the vision of “One World” which had excited the peoples of all lands and which had brought forth the United Nations. Within a few months after the formation of the World Federation of Trade Unions it became evident that its Communist members, including not only the Russian but also the French and Italian Communists, were seeking to convert it into a successor of the Third International. The struggle between the opposing forces came to a head with the inauguration of the European Economic Recovery Program which the Communist groups, in adherence to the Soviet foreign policy, insisted upon opposing. Through their affiliation in the W.F.T.U., the anti-Communist trade unions throughout Europe were thus forced to condemn and oppose by overt action, such as refusal to unload goods from the United States, the aid which was essential to the very life of their members. And while condemning the Marshall Plan, the Communists forced the W.F.T.U. to keep silent as the Soviet Union extended its iron curtain into eastern Europe and converted the trade union movements in these countries into instruments of Soviet policy.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS

Thoroughly disillusioned by the spring of 1948, the British Trade Union Congress and the C.I.O. took steps to break relations with the World Federation of Trade Unions. They were assisted by the A.F.L. in a very vital way, namely, by a reversal of its policy of insisting that any international organization must be composed solely of representatives from the “dominant” labor movement in each country; in other words, their acceptance of a policy of sharing representation with the C.I.O.

This decision for unified action by the two branches of American labor served as a catalyst for united action by all “free” trade union movements throughout the world. In December, 1949, delegates from 50 countries, representing about 50 million workers, met in London and established the International Confederation of Free Trade Unions. Charter members of the new organization included the A.F.L. and the C.I.O., the national trade union centers of Great Britain, Canada,

the Scandinavian countries, Switzerland, and Western Germany, the non-Communist centers of France and Italy, as well as unions from the Middle East, Far East, including Japan and India, and several from Latin America. According to present rules, the European Catholic centers, which now belong to the International Federation of Christian Trade Unions, may join the new I.C.F.T.U. when they "accept and give effect to the principle of affiliation to one trade union international," that is, sever their ties with the Catholic federation.

The ringing Manifesto which was adopted by the I.C.F.T.U. is significant in its worker-class appeal—minus the revolutionary call to arms of the Communist Manifesto. It opens and closes with the following rally call:

MANIFESTO OF I.C.F.T.U.—LONDON, DECEMBER, 1949

BREAD: economic security and social justice for all!

FREEDOM: through economic and political democracy!

PEACE: with liberty, justice and dignity for all!

Workers of all countries, races, creeds—workers in factory, field and office, and all other groups—unite within the ranks of the International Confederation of Free Trade Unions! Unite with us to achieve a world in which men can be both free and secure and in which peoples of all nations may live in peace with each other! For these things we fight! These things we will win!

.....

Together we can conquer poverty and exploitation and create a world of abundance and security.

Together we can destroy tyranny and oppression and create a world of freedom and human dignity.

Together we can defeat the forces of war and aggression and create a world of peace and justice.

The International Confederation of Free Trade Unions is committed by its constitution to support "the right of all peoples to full national freedom and self-government," and to "champion the cause of human freedom, oppose and combat totalitarianism and aggression in any form." Its aims are to assist workers throughout the world in developing trade unions, especially in underdeveloped countries, such unions to be free from domination by employers, governments or political parties, and to be genuine bargaining instruments deriving their au-

thority from their members; to raise living standards and improve working conditions everywhere; to encourage development of resources and freer exchange of products throughout the world; to eliminate forced labor; to represent the free trade union movements in all international agencies which perform functions affecting working people; to exchange information and foster education and publicity to increase workers' understanding of national and international problems; to support all measures that are necessary for assuring the defense of world democracy and the freedom of nations against any totalitarian aggression.

Regional Centers

Willingness to welcome and work with unions from areas having diverse economic and social structures is indicated in the regional machinery provided within the framework of the I.C.F.T.U.⁵, and in recent efforts to help build up free trade union movements in all corners of the world. A few months after the new organization was established, a delegation toured Asia to investigate the position of trade unionism in the Far East, the feasibility of establishing a union college to train labor leaders for these countries, and to survey the economic situation of each country, and the extent and methods of Communist infiltration and the most effective means for combating such activities. Concurrently, a temporary regional headquarters was established at Singapore as the Asian center of the new International. Similar regional centers are planned for West and East Africa.

In 1951 a conference was held in Mexico City where a Western Hemisphere center was established which, however, lacks representation from several important Latin labor movements at the present time. In South America, labor unions must frequently struggle not only against the Communists but against political dictatorships which either suppress labor organizations altogether, or regiment them into allies in order to cultivate among the masses of workers the notion that everything labor gets comes as the munificent gift of the supreme national political leader. Believing that the latter situation pertains in Argentina under the Peronistic government, the Argentine General

⁵ Representation on the Executive Board obviously favors areas where unionism is as yet relatively weak. Representation, in addition to the Secretary-General, is distributed as follows: United States and Canada 4, Great Britain 2, Europe 5, Latin America 2, West Indies 1, Africa 1, Asia 3.

Confederation was not invited to the meeting on the grounds that it was not a "free" trade union movement but was government dominated. Brazilian labor leaders sent greetings but were prevented from attending by the government then in power. The Mexican Confederation at the last moment withdrew over the "Argentine question." Although the conference fell short of hemispheric solidarity, 29 central labor organizations from 20 countries, including the A.F.L. and the C.I.O., were represented and the door was left open for the Mexican and the Brazilian labor movements to join the Inter-American Regional Organization of the International Confederation of Free Trade Unions.

Relation of American Labor to I.C.F.T.U.

Similar to the general shifts in power and responsibilities which have taken place among governments following World War II, the weight of power in the new labor international, as contrasted to the prewar period, has shifted from European to American labor. In effect this means less emphasis upon the socialistic traditions of the European labor movements and more to the American labor philosophy of social reform. Although both the European and the American memberships are united in their resistance to all forms of totalitarianism, the unions of Europe and America nevertheless face serious problems in their relationship with each other. As stated by an observer at the London meeting:

The American unions function in a country of unequalled prosperity and of an expanding capitalism. The unions of Western Europe live under various stages of transition from capitalism to socialism, and the capitalistic institutions remaining in their countries are of an essentially different nature from "free private enterprise" of the American style. Some of the speeches by American delegates clearly illustrated this basic difference. In an excellent speech William Green proclaimed the need for a 30-hour work week for the whole world. Other American speakers placed the right to strike in the center of their aspirations. Walter Reuther claimed that, the problems of production having been successfully solved, the problems of the distribution of the national income are now in the forefront. These points clearly illustrate trade union action and aspirations in the United States. But they appear in a somewhat peculiar light when seen from the viewpoint of European trade unions today.

European trade unionism was and remains political trade unionism. It is closely associated with political parties, some of which are responsible

for the governments of their countries. They administer large nationalized enterprises. Their concern is production as much as distribution. . . . The slogans of the American trade unionists seem dated and out of place for them, much as the tasks and methods of trade union action in Western Europe seem odd to American trade unionists. . . . The new International can work successfully only if it is based upon the realization that the trade union struggle in different parts of the world must follow different roads, and that the social evolution in different parts of the world proceeds in manifold ways. Unity in spirit and substance, rather than uniformity of methods, slogans, and patterns of action—these must be the guiding ideas of the I.C.F.T.U. if it wishes to work effectively in a world of bewildering diversity.⁶

TRADE SECRETARIATS

Trade Secretariats are international organizations of national unions whose jurisdictions cover particular trades or industries. For example, the International Transport Workers Federation, the largest existing Secretariat, is composed of national unions of maritime, railroad, and motor vehicle workers of various countries; the International Federation of Metal Workers, the second largest, includes national unions having jurisdiction in the metal and steel industries, including automobile and other fabricating industries. The function of Trade Secretariats is to provide regular interchange of information and personal contacts among the various national union leaders and, through periodic regional meetings, among rank-and-file workers of different countries who are engaged in the same trade; to formulate standards and policies as guides for national union action; to represent the interests of their affiliated unions on intergovernmental bodies.

Trade Secretariats were the first effective form of international co-operation among organized workers, some of them having been established before the turn of the century. Also, most of them have functioned continuously through the vicissitudes of the several general international labor movements. Most of them were affiliated with the International Federation of Trade Unions after the First World War. When the World Federation of Trade Unions was formed it was planned to have the Secretariats become industrial departments of the Federation, thus making them subordinate to the central body. Most

⁶ Adolf Sturmthal, "The International Confederation of Free Trade Unions" in *Industrial and Labor Relations Review*, April, 1950, pp. 381-2.

of the Secretariats, including the influential Transport Workers, refused to be assimilated and formed instead a Co-ordinating Committee of their own as a central agency. Currently, this Committee is working with the new International Confederation of Free Trade Unions, with the expectation that some kind of formal affiliation will soon be effected.

Several of the Trade Secretariats have continued their affiliation with the World Federation of Trade Unions; in other instances the W.F.T.U. has established new trade departments for those national unions which decided to withdraw from their Secretariats when the latter refused W.F.T.U. affiliation. As a part of its anti-Communist drive in 1949-50, the C.I.O. decided to expel all its unions who refused to disassociate themselves from the trade groups affiliated with the W.F.T.U. (The A.F.L. had no unions with such affiliations.) This was one of the "evidences" taken into consideration when the Longshoremen's Union⁷ and the Mine, Mill and Smelter Workers, were expelled from the C.I.O. in 1950, both having continued their association with trade groups connected with the W.F.T.U.

In 1950 there were 18 active Trade Secretariats, including unions with a total membership of approximately 20 million workers. American unions are assuming an increasingly important role in these organizations. The Association of Machinists, the A.F.L. Metal Trades Department, the C.I.O. Automobile and Steelworkers unions, have all joined the International Metal Workers' Federation since the end of World War II; the United Mine Workers is affiliated with the Miners' International Federation; the American railroad brotherhoods are influential members of the Transport Workers Federation.

THE INTERNATIONAL LABOR ORGANIZATION

Entirely different in structure and operation from the international organizations described above is the International Labor Organization, commonly referred to as the I.L.O. The I.L.O. is an offshoot of the

⁷ The World Federation of Trade Unions, like the Third International during the 1920's and 1930's, is especially anxious to gain control of maritime workers all over the world, and much of the underground activity of the Communists has been directed toward winning over the seamen and dockers. The reason is obvious when one considers the advantages to the Communist forces in a world conflict if they could halt sea transportation by calling a general world-wide strike of maritime workers.

Versailles Peace Treaty of 1919 but its roots were planted many years before the First World War. Early in the nineteenth century humanitarians like Robert Owen were convinced that the conditions of industrial workers in any one country could be permanently improved only by the international co-operation of all governments; that, conversely, under conditions of international trade, work standards in all countries tend toward the lowest level existing in any one country. These humanitarians, it will be noted, looked toward government action for redress and gradual improvement through parliamentary means, in contrast to class struggle or efforts of worker groups alone. Under a political democracy, the parliamentary process involved joint participation by all classes, employers as well as workers, and the elected representatives of the general public.

Numerous proposals for international co-operation did not come to fruition until 1900 when the International Association for Labor Legislation was established at Brussels. During subsequent years this Association "ratified" several important "conventions,"⁸ such as one prohibiting night work for women and one prohibiting the use of white phosphorous in the manufacture of matches. The United States government made annual contributions toward the support of the Association and the American Association for Labor Legislation, a private organization, took an active part in its program.

The First World War interrupted the activity of this Association but during the war, groups in Europe and in America were laying plans for international means for improving the lot of workers. At a conference held in England in 1916 representatives of British, French, Belgium, and Italian unions drew up what in essence became the constitution of the I.L.O.

"International labor" was one of the foremost subjects discussed at the Paris Peace Conference in 1919. "The collapse of the Central Powers was threatening to bring with it a collapse of capitalist society, at least in the defeated nations, and there was no knowing where the contagion of revolution might end. There were even more signs of unrest than in the great revolutionary year of 1848, and behind all of

⁸ These conventions, or treaties, actually had no legal status until they were enacted into law by the respective governments, but the ratification by an international organization with prestige carried a great deal of moral weight toward their adoption.

this ferment and uncertainty lay what then seemed an ominous threat in the unbelievable fact of a Bolshevik Russia."⁹ Faced with this world situation, the Conference unanimously adopted the resolution: "Conditions of labor exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled," and included provisions for an International Labor Organization in Part XIII of the Treaty of Versailles.

Samuel Gompers served as chairman of the commission which drafted the proposals submitted to the Peace Conference and made arrangements for the first conference to meet in Washington in October, 1919. He, like President Wilson with respect to the League of Nations, fully expected that the United States would assume a prominent role in the new world organization. But when the Washington conference was held, the United States Senate had failed to ratify the Versailles Treaty and the American Federation of Labor was in the anomalous position of being an onlooker to a conference which it had sponsored, and which was held in the same city as its own headquarters. During the subsequent fifteen years of United States isolationism, American labor remained aloof from active participation in the I.L.O. although friendly relations were maintained.

All this was changed in 1934 when Congress, at President Roosevelt's recommendation, authorized this government to become a member. The same year, the Soviet Union, the other large nation outside the I.L.O., also became a member. This expanded participation was soon interrupted by international tensions and, one by one, Germany, Spain, Italy, Japan, and the Soviet Union left the I.L.O. During World War II, nevertheless, the I.L.O. carried on—the only League of Nations agency to survive. Headquarters were moved from Geneva to Montreal "for the duration." After the war, the I.L.O. became a specialized agency of the United Nations and moved back to its Geneva headquarters. At the Philadelphia Conference (1944) when postwar plans were discussed, the I.L.O. reaffirmed its basic principles, declaring that "poverty anywhere constitutes a danger to prosperity everywhere; war against want must be carried on with unrelenting vigor within each nation, and by continuous and concerted international

⁹ James T. Shotwell, "The Origins of the I.L.O." in *What the I.L.O. Means to America*, Columbia University Press, New York, 1936.

effort"; that I.L.O. activities "are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilized world."

Method of Operation

The uniqueness of the I.L.O. is its tripartite system of representation. At the General Conference, which meets at least once each year, each member government has four voting delegates of whom two are representatives of the government, one of employers, and one of workers. The Governing Body of thirty-two persons, which is elected by the General Conference, is also on the 2:1:1 representation basis. Delegates vote as individuals and not by national units. Thus the employers' or the workers' representatives may vote for or against a motion contrary to the votes of their government representatives. This permits voting by horizontal class interests of employers versus workers and, in theory, the government delegate votes could be the deciding factor. In actual practice, there is much splitting of votes among each of the three groups; seldom if ever do all the government delegates, or all the employer, or all the worker delegates, vote as a block.

The General Conference serves as a world forum for the discussion of social problems and all questions pertaining to employment and the welfare of workers. If two-thirds of the delegates vote for a proposal it becomes an international "convention" (or a "recommendation" when the matter is not considered appropriate or suitable for a convention) which the member delegates are under obligation to refer to their respective governments for enactment into law or other appropriate action. The Conference has no final legislative powers; it is not a "super-government." The conventions and recommendations adopted are not binding upon its member governments merely by virtue of their having been adopted by the Conference, any more than international treaties concluded by diplomatic procedure are binding without ratification, merely by virtue of their having been signed by plenipotentiaries. But the adoption of conventions by the Conference does place all members under a definite legal obligation to take certain action, the object of which is to maximize the probability of ratification by their respective governments. And these obligations apply in the same

manner to all members, irrespective of their attitude towards the proposal at the time of its adoption by the Conference.

When ratified and applied, conventions constitute codes of fair international competition; they afford protection for workers employed in countries other than their own; they resolve conflicts of laws and conflicts of jurisdiction in regard to the application of social legislation; they create rights of an international character, such as the pension rights of migrant workers, which could not be effectively established by action of any one country; they make possible reforms on a world-wide basis by establishing minimum standards which are binding everywhere.

Equally important as the Conference is the International Labor Office made up of a permanent staff of specialists and technicians from the various member countries. The Office has two fields of activity: As a secretariat to the Conference it compiles comprehensive reports in advance of each Conference on each of the items to be discussed, and prepares the preliminary drafts of the conventions. When the Conference adjourns, the Office carries out the decisions of the Conference and the correspondence and personal contacts incident thereto. Secondly, the Office serves as a research and statistical agency, collecting data from all the national governments, making studies on its own initiative, and preparing and distributing special reports as well as a regular monthly journal. It may also conduct regional meetings where special problems of different areas of the world can be discussed and, if so decided, referred to the Conference for action.

Accomplishments

In 1950 sixty countries were members of the I.L.O., including all the major nations except the U.S.S.R. and its satellites. More than a thousand ratifications had been deposited on the ninety-eight conventions which make up the International Labor Code. Statistics on formal actions on conventions, however, do not reveal the work of the I.L.O. as well as do illustrations of some of its specific activities.¹⁰ For example, after the First World War, Poland regained its independence and Alsace-Lorraine was returned to France. These changes posed the problem of how workers in these countries could procure the benefits of the German social insurance funds to which they had contributed.

¹⁰ Director-General David A. Morse, "Three Decades of I.L.O.," in the *American Federationist*, March, 1950, p. 22.

After lengthy negotiations among the three countries which lead nowhere, the I.L.O. was asked to propose a solution which was later accepted, the workers concerned receiving the benefits to which they were entitled. During World War II the governments of Mexico and the United States asked the I.L.O. to prepare the regulations pertaining to the living and working conditions of Mexican workers temporarily employed in this country.

Recently it became apparent that an international agreement was necessary to define the conditions of work of Rhine boatmen and to establish a social security system for them. This was a question which concerned Belgium, France, Western Germany, the Netherlands, Switzerland, and the United Kingdom. The I.L.O. called a meeting of representatives of these governments where detailed plans were formulated, although final action was dependent upon the governments concerned. The Inter-American Conferences on Social Security, which have recently been held, have afforded an opportunity for a comparison of methods and improvements of social insurance programs throughout the Americas. Social security laws in Bolivia, Colombia, and Mexico were prepared by officials of those countries in close collaboration with the I.L.O. Similarly, when the United States was formulating its social security program in 1934-35, I.L.O. experts were consulted and data on hand at its office were used.

Because of the international competitive nature of the maritime industry, the I.L.O. has been especially active in establishing minimum work standards on all ships, regardless of which country's flag they sail under. It has adopted conventions covering minimum standards for crew accommodations, wages and hours, holidays with pay, social security and pensions, which have been widely accepted. Even though these international standards are far below those existing on ships carrying the American flag, the American maritime unions have actively supported their adoption, realizing that the spread in standards among the various countries must be kept as small as possible if working conditions on American vessels are to be maintained and improved.

Despite its considerable accomplishments, the I.L.O. operates under some distinct handicaps. During the last twenty years only a limited number of its conventions have been ratified by governments. And no program has yet been agreed upon for international inspection to see that the conventions are being enforced after having been ratified.

UNION CO-OPERATION IN U.S. FOREIGN POLICY

The concern of American labor in world-wide affairs is not limited to participation in international organizations such as the International Labor Office and the International Confederation of Free Trade Unions. Equally significant are the more informal activities which the labor movement in the United States has been carrying on since World War II in Europe, the Orient, and South America. In the world-wide struggle of the forces of democracy with totalitarianism, both Fascist and Communist, the American labor movement has been actively in the forefront, working independently and in conjunction with the government.

When American and allied occupation authorities were faced with the problem of establishing democratic regimes in the defeated totalitarian countries and in rehabilitating war-torn Europe, they immediately became aware of the need for organized labor's co-operation. American military authorities who previously had given little thought to the role of labor unions in their own country, were brought face to face with the fact that a free trade union movement is an indispensable pillar of any democratic, industrial society. Realizing this, one of their first and most urgent problems was finding a way to bring about the reconstruction of labor organizations in the defeated countries which would be in harmony with the democratic political and social structure they were seeking to get established.

The prewar totalitarian governments of Germany, Italy, and Japan had taken over their labor movements and made them instruments of their governments. "Recalcitrant" union leaders had been liquidated or forced into hiding. The military occupation authorities naturally were unacquainted with these former union leaders who were democratically inclined and therefore could be trusted with the task of winning over the millions of disillusioned and perplexed workers of these countries. Because of their long years of experience with foreign labor organizations, United States labor leaders (as well as the British) were able to step into the breach. During the prewar and war period, the American Federation of Labor had maintained contact with the trade unionists in the European anti-Fascist underground, and immediately after the war both the A.F.L. and the C.I.O. had promoted

fraternal relations through their generous financial aid to distressed union members and their families.

A number of American union officials were appointed as labor advisers on the staffs of the occupation authorities. These labor representatives had the twofold task of counteracting tendencies toward a return to power of reactionary industrial and political leaders and, at the other extreme, of persuading the mass of workers against turning toward Communist leadership. It is commonly acknowledged that much of the credit for the emergence of democratic trade union movements in Western Germany, Italy, and Japan was due to the efforts of the representatives from United States trade unions.

Participation in Recovery Program

When the European Recovery Program was started American labor had another great opportunity to participate in the government's foreign policy and to assist their fellow-workers overseas. Organized labor's endorsement of the Marshall plan helped to convince Congress that the general public was willing to pay the taxes necessary to cover the high costs involved and to accept the deprivations resulting from the shipment of goods abroad. Strategically more important was their contribution in getting the support of European workers for the recovery programs in their various countries. European labor, always more socialistically inclined than workers in the United States, was prone to regard the recovery program as an instrument of American capitalist imperialism; a device to extend "dollar diplomacy" and gain economic and perhaps political control over war-stricken, bankrupt nations. These suspicions were enhanced through the aggressive propaganda emanating from the Kremlin, with the result that the entire program was jeopardized before it got underway. (There were in fact a few instances where dock workers in France and Italy refused to unload Marshall plan goods.)

In an effort to allay this distrust and to gain the confidence of the working masses, the E.C.A. (Economic Cooperation Administration which in April, 1948, assumed charge of the U.S. activities under the Marshall plan) immediately established a Labor Division with headquarters in Paris, and appointed A.F.L. and C.I.O. officials to serve as labor advisers in each of the countries participating in the recovery program. In several countries trade unionists were assigned the top posts of the E.C.A. Missions, thus establishing a precedent for wider

labor participation in government policy beyond that of merely representing labor's interests.

A major contribution of American labor was its insistence that the workers and all segments of society should participate in the benefits of the recovery programs in all the assisted countries. Far from satisfied that this goal was attained in all cases,¹¹ labor representatives from this country nevertheless were able to convince the large majority of the European workers that the program was an expression of the American public's good will and not a "creation of Wall Street" as the Communists were proclaiming. In the day-to-day administration of the program the American labor representatives, working in close co-operation with the labor leaders in each European country, assumed major responsibility for dealing with the problems of labor supply, vocational training, and labor productivity. To promote increased efficiency, teams of European workers were sent to the United States for on-the-spot observation; the Labor Divisions in the European Missions assisted in the selection of these teams while the E.C.A. Labor Division in Washington planned and supervised their itineraries.¹² In carrying out these specific duties, the U.S. labor representatives sought always to serve as a link between the government authorities and the labor movements within each of the assisted countries. Coming from the ranks of workers they were in a strategic position which enabled them to interpret the many ramifications of the recovery program to European workers in a way which they could understand, thereby gaining their co-operation and confidence.

¹¹ According to American labor leaders, the distribution of benefits of the recovery program to workers in France and Italy were especially disappointing. A report of one of these labor delegates to the 1950 C.I.O. Convention says: "In these two countries (France and Italy), despite the successful rejuvenation of the general economy, despite the obvious outward evidences of a returning prosperity, the simple fact remains that the great masses of the people have not yet felt the bolstering impact of recovery to the extent that the average American citizen would regard as normal. Wages in France and in Italy have lagged so far behind the postwar runaway price rise that the average worker, though certainly better off today than he was in 1947, is still considerably worse off than he was before the war. He has *not* shared in the benefits of recovery in anything like so large a measure as have the merchant and the manufacturer." The report continues with this prophetic warning: "The situation among the working classes of both countries is still critical and therein lie the seeds of an enormous discontent from which one dark day may spring a harvest of destruction and disaster." (Second Day Proceedings, C.I.O. Convention, 1950, pp. 42-3.)

¹² Every one concerned with this visiting program seemed to think it was

NONGOVERNMENTAL FOREIGN ACTIVITIES

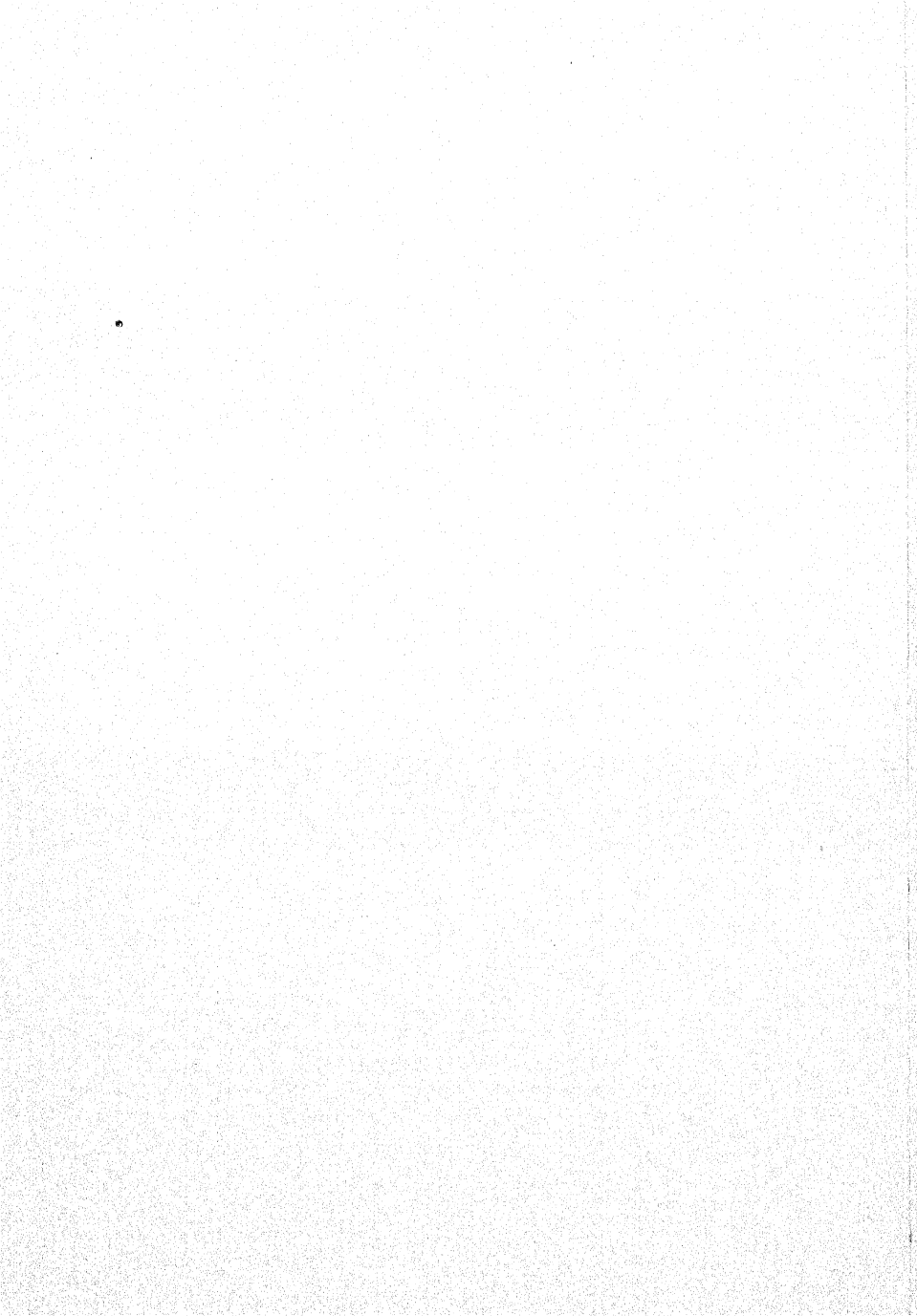
Keenly aware of the grave dangers to free labor and all mankind inherent in the present acute world crisis, the American labor movement has not been content to limit its international activities to co-operation with government programs. Independently it is carrying on activities which extend over four continents. Groups of C.I.O. officials have visited various countries to help bolster free trade unions and see what can be done to improve workers' standard of living. A.F.L. representatives have visited India and southeastern Asia for the same purpose, and in Japan the A.F.L. is working in close co-operation with the Democratization League in its efforts to build up a strong non-Communist labor movement.

Since 1947 the A.F.L. has maintained a full-time representative in South America and a permanent bureau with headquarters in Brussels which serves as a clearinghouse for activities throughout Europe. The A.F.L. issues the *Free Trade Union News* in German and Italian editions, as well as considerable pamphlet material which is distributed throughout western Europe. A Spanish bi-monthly clip-sheet, *North American Labor News*, is distributed throughout South America. These personal and educational activities have been accompanied by concrete material assistance, such as the furnishing of office equipment and financial aid to help new unions get established. This

a very worth-while project. As expressed by one U. S. labor leader: "No amount of literature on the subject could have been nearly as effective as what these workers have seen for themselves as they have moved from place to place in our vast country . . . the members of these visiting teams have learned to appreciate and to understand our American way of life and have become, in their own countries, articulate in explanation of the cultural, social and economic values they have been surprised to discover here, their previous impressions of this country having been limited largely to their judgment of the Hollywood motion picture and the allegations of the Communist line. Now this is not to say that they have embraced without qualification, or even approved, every facet of our national life—to the exclusion of values they consider important in their own—but it does mean that now they have come to understand our society, can explain it effectively and honestly, and are thus in a position to refute the falsehoods so avidly spread by the propaganda machine of the Soviet Union. Long after E.C.A., this reservoir of understanding and good will is sure to remain in many a small village, many a metropolitan city, all over the continent. There will be people in Europe for a full generation who can say in answer to our enemies: 'I was there; I know how it is in America.'" (*Ibid*, p. 41.)

has been especially needed in France and Italy when non-Communist groups have broken away from their Communist dominated organizations and set up new offices.

These foreign activities are costly. The A.F.L. alone is spending a quarter of a million dollars annually for its various programs. Individual unions and the C.I.O. are expending additional sums. Willingness to spend this money and effort stems from a realization that human liberty and social justice must be attained everywhere, and that free trade union movements are essential components to all democratic societies. If the ultimate goal is realized, it will be due in part to the organized workers of America who have been willing to contribute from their limited resources toward the attainment of a free world which we can all enjoy.



GLOSSARY OF LABOR TERMS

The following glossary contains definitions and explanations of 300 words, terms and basic laws pertaining to labor and labor unions. While many of these terms have a wider application, this glossary is limited to explaining their usage in connection with working conditions, unions and collective bargaining.

ACCIDENT RATE. A measure of frequency of industrial injuries, the standard formula being the total number of disabling injuries per one million employee-hours worked.

ACCELERATING PREMIUM. A form of incentive wage system which provides increasingly larger percentage premiums at progressively higher levels of production. (See Incentive Wages)

ADAMSON ACT. Act passed in 1916 which establishes the 8-hour day as a basis for computing wages of railway employees.

ANNUAL WAGES. Sometimes used in a general sense to refer to total earnings received during a year; more particularly used in connection with plans whereby workers are guaranteed a minimum amount of wages or employment each year. (See Guaranteed Employment)

AGREEMENT. (See Collective Agreement)

ALLOWED TIME. Under incentive wage systems, the number of minutes allowed for tool care, personal needs, and fatigue, which is added to operating time in establishing job standards or "task" as a basis for determining piece rates or incentive bonuses. (See also "Dead" Time)

ANTI-INJUNCTION LAW (Norris-LaGuardia Act). An act passed in 1932 which (a) regulates the issuance of injunctions by federal courts in labor disputes by prohibiting the enjoining of certain acts and by laying down certain conditions which must be satisfied before other acts can be enjoined; (b) makes yellow-dog contracts unenforceable; (c) specifies that no union officer shall be held responsible for acts committed during a labor dispute unless there is clear proof he authorized such act; (d) provides for trial by jury of any person charged with contempt of court in a case arising under the act except contempts committed in and near the presence of the court.

ANTI-KICKBACK LAW. A federal law enacted in 1934 which imposes a penalty on any employer (or agent of the employer) who by force, intimidation, threat of dismissal, or by any other means induces any

person employed on public construction work, or on work financed in whole or in part by federal funds, to give back any part of his compensation.

ANTILABOR LEGISLATION. Federal and state laws and municipal ordinances which organized labor considers inimical to the interests of wage earners; more especially, legislation which seeks to restrict the activities and status of labor unions.

ANTI-STRIKEBREAKING ACT (BYRNES ACT). A federal law passed in 1936 which prohibits the interstate transportation of "any person who is employed or is to be employed for the purpose of obstructing or interfering by force or threats with the peaceful picketing by employees during a labor controversy, or the exercise by employees of any of the rights of self-organization or collective bargaining." (See Strikebreakers)

APPRENTICE. A young person training for a skilled trade through a comprehensive program of graduated experience on the job combined with individual or classroom instruction. (See also Learner)

APPRENTICE RATE. A formally established schedule of wage rates, usually graduated in such a manner as to permit the achievement of the minimum journeyman rate at the end of the apprenticeship period.

APPRENTICESHIP COMMITTEE. A committee composed of journeymen or a joint committee of employer and union representatives appointed to administer an apprenticeship program. (See also Federal Committee on Apprenticeship)

ARBITRATION. The process of referring disputes between employers and employees, (or between two rival unions) to the decision of impartial adjudicators. While an arbitrator's decision is legally binding, arbitration differs from judicial processes in several important respects: (a) the disputants have voluntarily agreed to refer the matter to arbitration and have themselves selected the arbitrator; (b) while the arbitrator holds hearings, these are usually much less formal than court proceedings. Also, the arbitrator does not rely solely upon the presentations at these hearings; if he deems it necessary he may make independent investigations. (See Compulsory Arbitration, Impartial Chairman, Umpire)

AREA AGREEMENT. An employer-union agreement which covers all or most of the establishments and workers in a given industry within a geographical region, usually more extensive than a city or metropolitan center. Unlike an association agreement it is signed individually by each employer concerned. (See also Association, Master, Standard Agreement)

ASSESSMENTS. A monthly, annual, or single charge levied by the union on each of its members for a special purpose not covered by regular dues. Rules regarding the levying of assessments are found in union constitutions and by-laws.

ASSOCIATION AGREEMENT. An agreement negotiated and signed by an employers' association, on behalf of its members, with a union or a joint board representing several unions. An association agreement may cover all or most of the employers within an industry throughout the country or in a single city or locality. (See also Area, Master, Standard Agreement)

AUTOMATIC CHECKOFF. (See Checkoff)

AUTOMATIC WAGE ADJUSTMENT. A plan whereby wage rates are raised or lowered according to an established formula in response to other specified changes such as changes in the cost of living, prevailing wages, business profits, or prices. Usually refers to wage levels throughout the plant, although it may refer to a system of increasing employees' wages according to their individual service records or adjustments in piece rates. (See also Longevity Pay, Permissive Wage Adjustment)

AUTOMATIC WAGE PROGRESSION. A plan by which wage rates of workers in jobs with established rate ranges are increased automatically at set time intervals until the maximum rate for the job is reached. Some plans combine automatic progression up to a specified point (for example, the midpoint) within the range, with discretionary increases up to the maximum based on merit or other factors. (See also Merit Increase)

BACK PAY. Wages due an employee for past services, usually representing the difference between money already received and a higher amount resulting from a change in wage rates following an arbitrator's decision, enforcement of a legal minimum, or adjustment of piece rates. (See also Hold-back Pay)

BACKTRACKING. (See Bumping)

BARGAINING RIGHTS. Generally used with reference to workers' rights to bargain collectively with their employers as established by law and judicial interpretations. (See Collective Bargaining, National Labor-Management Relations Act, Railway Labor Act)

BARGAINING UNIT. A group of employees who voluntarily unite, or by decision of a government agency such as the N.L.R.B. are deemed to be an "appropriate" unit for bargaining collectively with their employer (or employers). Such units may be composed of workers in a single craft, or include all or most workers in an entire plant or numerous plants within an area or entire industry.

BASE RATE. Under incentive wage systems, the rate for the established task or job standard, production beyond standard bringing extra pay. The base rate usually represents the 100 per cent for measuring the incentive bonus. Base rate is also used to denote the "regular" rate on timework, that is, the established rate per hour for the job exclusive of extras resulting from merit or service increases, overtime or shift differ-

- entials, etc. (See "Standard Time," Piecework, Incentive Wages, Wages)
- BEDAUX WAGE SYSTEM.** An incentive wage plan whereby performance is measured in terms of minutes called "B's" (60 B's constituting the task per hour), and premiums are paid for B's accomplished in excess of established task.
- BIDDING.** System of having vacant jobs posted on bulletin boards or otherwise circularized, with present employees having the privilege of applying on basis of their seniority.
- BLACKLIST.** A list of names of union leaders and members secretly maintained and exchanged by employers and employers' associations for the purpose of keeping such persons from obtaining employment.
- BONUS.** Any payment in addition to regular or base wages. It may be in the form of a Christmas bonus or other annual allotment or it may refer to extra rates paid for nightwork, overtime, hazardous work, etc. Also used in connection with incentive wage systems to designate amounts earned in excess of base or guaranteed rates. (See Premium Pay, Penalty Rates, Shift Differentials, and Overtime)
- BOOTLEG WAGES.** The wages above those at the prevailing rate or the union scale which an employer may pay in a tight labor market to hold or attract employees. May also refer to wages below or above the legal or union rate. (See also Kickback)
- BOYCOTT.** A concerted effort to withhold and to induce others to withhold the purchase of goods or services produced in a nonunion plant or by an employer accused of objectionable labor practices. It was first used by the tenant farmers of an Irish landlord named Boycott and was later adopted by both British and American organized labor movements as a weapon in labor disputes. At times unions have adopted general boycotts against all unorganized employers in an industry; more generally, however, boycotts are restricted to specific employers who are actively opposing the union.
- Although there is no clear line of distinction, the terms "primary" and "secondary" boycott are sometimes used. The latter applies to efforts to induce parties not directly involved in the dispute to refrain from patronizing an "unfair" employer; thus, workers may refuse to handle or work on any materials, equipment or supplies produced or delivered by nonunion workers, or a union may declare a boycott against a retail store which sells a product manufactured in a plant where a dispute is in progress. The 1947 Labor-Management Relations Act declares secondary boycotts to be unlawful.
- BROKEN TIME.** (See Split Shift)
- BROTHERHOOD.** A title used by some of the older International and National unions, especially the railroad unions, which were originally established primarily as fraternal and benefit organizations.

BUMPING. During layoffs, the displacing of junior employees by workers of longer service; sometimes referred to as "backtracking."

BUSINESS AGENT. A person employed by a local union to assist in negotiating agreements with the employer, help settle grievances, and see that both employers and members observe the terms of the agreement. A business agent's duties are similar to those of a union steward but the latter are company employees who continue to work at their regular jobs, while a business agent is a full-time representative of the union. Business agents are most common in the building trades unions. (See Steward)

CALL-BACK PAY. Extra rate paid to employees who have left the plant and are recalled for some emergency work.

CALL PAY. The guarantee of payment of a specified number of hours' wages to employees when they report for work at their usual time and find no work to do.

CAPTIVE MINES. Coal mines whose output is used almost exclusively by the steel companies which own them.

CASUAL WORKERS. Workers employed for short periods of time who attain no seniority status with either the employer or the union. When employed in a union shop they are given a special permit card by the union. (See Decasualization)

CERTIFICATION OF UNION. An official action or order of the proper government agency (for example, the National Labor Relations Board) specifying that a union is free from employer domination and includes a majority of the employees in its membership, and hence must be recognized by the employer as the collective bargaining agent for all the employees in the collective bargaining unit.

CHAPEL. In the printing trades unions, a subordinate unit of a local union which is composed of members within a single shop.

CHECKOFF. The practice whereby the employer, by agreement with the union, withholds union dues and assessments from the pay of union members and turns the funds over to the union. Formerly, some employer-union agreements provided for the automatic checkoff for all union members, but the 1947 Labor-Management Relations Act permits checkoff only for those employees who individually authorize the employer to make such withholdings.

CHECKWEIGHMAN. In coal mining, one who weighs or measures the coal produced by each miner who is paid on a tonnage basis.

CITY CENTRAL. An organization composed of the various A.F.L. locals within the city or metropolitan area. Variouslly called Central Labor Union, Central Labor Council, Central Trades Council, Federated Trades & Labor Council, etc.

- CITY INDUSTRIAL UNION COUNCIL.** An organization composed of the various C.I.O. locals within the city or metropolitan area.
- CLOSED SHOP.** An agreement between an employer and a union which specifies that no persons shall be employed who are not members of the union and that all employees must continue to be members in good standing throughout their period of employment. Closed shops were declared illegal by the 1947 Labor-Management Relations Act. (See also Union Shop)
- CLOSED UNION.** A union which, through prohibitive initiation fees or restrictive membership rules, seeks to limit its membership or to keep certain persons from becoming members in order to protect job opportunities for present members.
- COLLECTIVE AGREEMENT.** A contract signed by an employer (or group of employers) and a union specifying the terms and conditions of employment of those covered by the contract, the status or relation of the union to the employer, and the procedures to be used for settling disputes arising during the term of the contract.
- COLLECTIVE BARGAINING.** The process of employer-union negotiation for the purpose of reaching an agreement as to the terms and conditions of employment for a specified period. (See also Bargaining Rights, Bargaining Unit)
- COMPANY STORE.** A retail store owned and operated by a company primarily engaged in other business for the use of its employees and their families. Term is sometimes given a more limited meaning to refer to stores in company towns, or where wages are paid in scrip redeemable at the company store, or where other coercive measures are used to compel employee patronage.
- COMPANY TOWNS.** A community inhabited solely or chiefly by the employees of a single company which owns a substantial part of all the real estate and homes. Typically, company towns are unincorporated and are usually isolated from other communities. The isolation may be due to natural reasons, for example, mining and lumber towns, or it may be due to the employer's desire to escape unionization or avoid higher taxes and wages. In a typical company town the employer is the landlord, town manager, merchant and banker; he directly or indirectly finances and controls the police, the schools, the churches, and other places of assembly.
- COMPANY UNION.** Structurally and technically an employee organization whose membership is confined to the employees of a single plant or company as contrasted with labor unions which have a broad regional, national, or international coverage. Since such employee associations, or "representation plans" as they were frequently called before the

passage of the National Labor Relations Act, were usually established and largely administered by employers to forestall unionization, the term "company union" is commonly regarded as being synonymous with "company-dominated union."

COMPETITIVE WAGE. In economic theory, the wage within a given labor market required to balance the demand for and the supply of labor of a particular type. More popularly, the wage level a company must maintain to compete with other firms in the same labor market.

COMPULSORY ARBITRATION. The process of settlement of employer-labor disputes by a government agency (or other means provided by the government) which has the power to investigate and make an award which must be accepted by all parties concerned; not to be confused with voluntary agreements between employers and unions to have their disputes submitted for final determination by an impartial agency. (See Arbitration, Impartial Chairman, Umpire)

COMPULSORY CHECKOFF. (See Checkoff)

COMPULSORY UNION MEMBERSHIP. Applied to closed or union shops where employees must be or become members of the union as a condition of employment. (See Closed Shop, Union Shop)

CONCILIATION. An attempt to settle disputes between employers and workers by a third party, usually a government agency, who however has no power to compel the disputants to come to an agreement. The term is used interchangeably with "mediation."

CONTINUOUS PROCESS. A term applied to jobs which by their very nature require uninterrupted operation and thus necessitate round-the-clock work scheduling, that is, multiple shifts. Not to be confused, however, with multiple-shift schedules established for the sole purpose of increasing production. (See Shift)

CONTRACTING. A system of having portions of the manufacturing processes sublet to contractors; common in the clothing and automobile industries.

CONTRIBUTORY WELFARE PLAN. A retirement pension or other benefit plan whose cost is shared (not necessarily equally) by both the employer and the employees.

CO-OPERATION. (See Union-Management Co-operation)

COST-OF-LIVING INDEX. A measure of the change in the retail price of goods, rents, and services paid by families of wage earners and lower salaried workers. The most widely known index, that of the Bureau of Labor Statistics, is issued every month and represents the average change in prices of living essentials in representative large cities. Correctly termed "Consumers' Price Index."

COVERAGE OF AGREEMENT. All employees, whether or not they are union

members, who work under the terms provided in the agreement; also plants or companies which have jointly signed an agreement. (See Association Agreement, Bargaining Unit)

CRAFT UNION. A labor organization whose jurisdiction is limited to one or several allied skilled trades. (See Industrial Union)

CUTBACK. A sudden reduction in work resulting in layoffs.

CYCLICAL DEPRESSION. Periodic recession in general business activity resulting in widespread and prolonged unemployment; contrasted to seasonal depressions which occur in some industries more or less regularly once or twice a year.

DAVIS-BACON ACT. (See Prevailing Wage Law)

DAYWORK. Usually refers to work where wages are a fixed amount per hour or day in contrast to incentive or piecework. Also used to designate day shifts under multiple-shift arrangements, or casual labor in contrast to employment having some degree of permanence.

DEADHEADING. In the transportation industries, the process of taking empty cars, trucks, and buses to a terminal or other station; also the travel time of transportation workers who are required to report for work at points far removed from their home terminals.

In some other industries the term is used in connection with the practice of not promoting (deadheading) a person where seniority entitles him to a higher position, but who is not qualified to do the work, and allowing junior employees to move around him.

"DEAD TIME." Lost time for which the employee is not responsible (machine breakdowns, delays in receiving materials, etc.) and for which an incentive worker usually is paid his regular wages. (See also Allowed Time)

DEAD WORK. Used in mining to refer to nonproductive work, including the removal of rock, debris, and other waste matter, from the product mined.

DECASUALIZATION. Most commonly applied to longshoring where centralized hiring halls are substituted for the "shape-up," thus tending to regularize the work of individual longshoremen. (See Shape-up)

DISABILITY INSURANCE. Insurance plans which cover nonoccupational connected sickness and accidents. (See Workmen's Compensation)

DISCHARGE. Involuntary dismissal of an employee for cause. A discharged employee, unlike one laid off, loses his seniority rights to re-employment.

DISCRIMINATION. Unfair treatment of a particular group or individual in matters affecting their employment status: employer discrimination against union members in hiring, layoff, or promotion; employer or union discrimination against accepting Negroes.

DISMISSAL WAGE. Payment by the employer of a sum of money to an employee who is permanently and involuntarily laid off through no fault of his own; usually based on length of service and in the form either of a lump sum payment or weekly payments equivalent to a specified per cent of wages for a given number of weeks.

DISPUTE. A controversy between an employer and employees (or union) that is sufficiently serious to be referred to an arbitrator or government agency for settlement or to threaten or cause a work stoppage. Sometimes used as synonymous to strike or lockout but more frequently given the broader connotation to include threatened as well as actual strikes. (See also Strike)

DISTRICT COUNCIL. (See Joint Council)

DOUBLEHEADING PAY. Extra compensation sometimes paid the railroad engineer where very steep grades require the use of more than one engine for some distance.

DOWN GRADING. The reassignment of workers to tasks with lower skill requirements with lower rates of pay. May occur when there is a change in products or in methods of production; also during periods of reduction of work force through the bumping process.

DOWN PERIODS. Brief shutdowns for purposes of cleaning and repairing.

DOWN TIME. (See Dead Time)

DUAL PAY SYSTEM. A wage system in the transportation industries whereby employees are paid on a dual mileage and hours basis; that is, a day's wages is based on a specified number of hours or miles, whichever is greater, depending upon the speed of the train.

EARNINGS. Total remuneration for services rendered or time worked, including overtime, bonuses and commissions, and other premium pay. (See also Wages, Incentive Wages, "Real" Wages)

EMPLOYEE ASSOCIATIONS. Usually refers to worker organizations whose membership consists of employees of a single company. (See Company Union)

EQUAL PAY FOR EQUAL WORK. A wage plan or legal provision for the payment of the same compensation to all employees within an establishment, or other bargaining unit, who are performing the same kind and amount of work, regardless of race, sex, or other characteristics of the individual workers.

ESCALATOR CLAUSE. A provision in a union agreement allowing or requiring the automatic adjustment of wages in accordance with specified changes in the cost of living or price of product, or some other criterion. (See also Improvement Factor)

ESCAPE CLAUSE. The provision prevalent in maintenance-of-membership awards made by the War Labor Board during World War II which

permitted members to resign from the union within a specified period after the award was made. (See Maintenance of Membership)

EXPERIENCE RATING. The system under which employers' contribution rates for unemployment insurance, or premium rates for workmen's compensation, are adjusted according to each individual employer's unemployment or accident risk.

FAIR EMPLOYMENT PRACTICE. Legislation which makes it unlawful for an employer to discriminate in the hiring, tenure, or promotion of employees, or for unions to discriminate against applicants for membership, because of race, color, religion, or national origin.

FAIR LABOR STANDARDS ACT. The federal law which establishes a minimum wage (now fixed at 75 cents per hour), time and one-half rates for hours worked in excess of 40 per week, and regulations pertaining to child labor in establishments producing goods or services entering interstate commerce.

FEATHERBEDDING. A term of opprobrium loosely applied to any union work rules which allegedly place limitations on the maximum utilization of manpower or machines, thus creating "soft" jobs for a greater number of persons than is actually necessary. The term is most frequently used in connection with certain practices on railroads, such as the mileage and full-crew rules. (See also Full Crew Rules, Work Restriction)

FEDERAL COMMITTEE ON APPRENTICESHIP. A joint committee of employer, union, and government representatives established in 1934 for the purpose of promoting a better understanding of the philosophy of indentured apprenticeship and to act in a technical consulting and advisory capacity to all agencies concerned with apprentice training.

FEDERAL LABOR LEGISLATION

See Adamson Act

Anti-injunction Act (Norris-LaGuardia Act)

Antikickback Act

Fair Labor Standards Act (Wage and Hour Act)

Motor Carriers Act

National Labor Relations Act (Wagner Act)

National Labor-Management Relations Act (Taft-Hartley Act)

Prevailing Wage Law (Davis-Bacon Act)

Public Contracts Act (Walsh-Healey Act)

Railway Labor Act

FEDERAL LABOR UNION. A local union chartered by and directly affiliated with the American Federation of Labor in contrast to locals belonging to International or National unions. (See Local Industrial Union)

- FIXED SHIFTS.** Where two or more shifts are employed, the arrangement whereby the hour schedule remains the same for each of the several crews in contrast to the periodic rotating of crews. (See Shifts, Rotating Shifts)
- FLEXIBLE SCHEDULES.** Arrangement of work time in which the number of hours per day or days per week varies, but total hours worked within the period do not exceed the number for which straight-time wages are paid.
- FREE RIDER.** A union term for a worker who does not belong to a union who nevertheless receives the benefits derived from a union negotiated contract or other union activity.
- FRINGE BENEFIT.** A benefit supplemental to wages received by workers at a cost to employers, such as paid holidays, pensions, health insurance, etc.
- FULL CREW RULES.** Generally used to refer to Interstate Commerce Commission regulations which require an engineer, fireman, conductor, brakeman, and flagman on every train.
- GAIN SHARING.** An incentive wage plan which provides progressively smaller bonuses or premiums per unit as output increases, based on the theory that expanded production is the result of both management and worker's effort and that both should share in the gains.
- GARNISHMENT.** An order issued by a court and executed by a public officer (sheriff, constable, or marshal), directing the employer of a debtor to pay part or all the wages due the debtor to the court officer who in turn transmits it to the creditor. In some states garnishment orders may be issued only against wages due and payable upon a given date; other states allow an order to serve as a continuing levy until the debt is paid. The proportion of any week's wages which may be taken varies among the states.
- GENERAL STRIKE.** A widespread sympathetic strike in which workers attached to various industries and unions participate, in contrast to a *general industry strike* which is confined to one union or one industry even though plants may be widely scattered over the country. (See Sympathetic Strike)
- "GOLDBRICKING."** (See "Soldiering")
- "GOON."** A hired thug to break up a strike or picket line. (See Strike-breaker)
- GRAND LODGE.** Title used by the Machinists, some of the railroad brotherhoods, and other unions to refer to their National organization, "lodge" being used with reference to their locals.
- GRAVEYARD SHIFT.** Under continuous operation schedules the shift which begins around midnight. (See also Lobster Shift)

GUARANTEED EMPLOYMENT. A plan established by an employer or through employer-union negotiations, whereby employees are assured a specified number of days' work per week or weeks per year or the equivalent in wages. (See also Annual Wages)

GUARANTEED WAGE RATE. The base rate or other established minimum which is guaranteed under most incentive wage systems regardless of actual output.

HOLD-BACK PAY. Any wages withheld by employer; most generally used in connection with the two or three days' wages earned between the end of the pay period and payday.

HOMEWORK. Industrial homework refers to production of commercial goods in private residences from material furnished by an employer for which the worker is paid by the hour or by the piece. Frequently restricted or regulated by law because of its association with low wages and tenement house conditions.

ILLEGAL STRIKE. Technically, a work stoppage forbidden by law because specified legal procedures have not been followed prior to the stoppage, or because of an injunction forbidding the stoppage. In union parlance, the term does not necessarily relate to a strike prohibited by a law but refers to a stoppage by union members which has not been authorized by the proper union officials or voted upon in accordance with the union's rules. (See "Quickie" Strike)

IMPARTIAL CHAIRMAN. An outside person employed jointly by the union and employer (or employers), usually for a definite period of time, to assist in negotiating and administering the collective agreements. During the process of the agreement negotiations, the impartial chairman serves as a mediator or consultant whose function it is to get the two parties mutually to agree upon the terms to be included in the contract; after the contract is negotiated, it is the function of the impartial chairman to see that both parties observe the terms of the contract and to make final decisions when questions arise as to interpretation or application. (See also Arbitration, Mediation, Umpire)

IMPROVEMENT FACTOR WAGE INCREASE. Periodic (e.g. annual) wage increases provided in union agreements which are based upon the assumption that there will be increased productivity in the plant and that workers should receive a share of the resulting improvement.

INCENTIVE WAGES. A method of wage payment by which earnings fluctuate more or less in accordance with actual output, thus providing an immediate financial stimulus to increased effort and output. (See also Piece Work, Time Study, "Standard Time," Bedaux, Manit System)

INDEPENDENT UNION. A union not affiliated with a larger federated organization such as the American Federation of Labor or the Congress of Industrial Organizations.

INDEX NUMBERS. A statistical device for measuring and expressing the quantitative changes in any phenomenon (or groups of phenomena) over a period of time; a series of numbers representing magnitude comparisons and usually expressed as relatives (percentages) to 100 for the base period.

INDUSTRIAL UNION. A labor organization whose jurisdiction includes all or most occupations, skilled and unskilled, within an entire industry.

INJUNCTION. A judicial order commanding an individual or a union to refrain from doing certain acts, such as picketing or engaging in a strike or boycott. (See Anti-injunction Act, National Labor-Management Relations Act)

INTERNATIONAL UNION. In this country "International" refers to unions having members in Canada as well as in the United States.

JOB CLASSIFICATION. The money value (base rate) attached to a job on the basis of a formal method of evaluation.

JOB EVALUATION. The qualitative rating of jobs to determine their position in a job hierarchy according to skill, experience, responsibility, and other special requirements, for purposes of determining relative wage rates.

JOB GRADES. (See Labor Grade)

JOINT AGREEMENT. An agreement signed by several unions with one employer or several employers with one union, or several unions and several employers. Joint agreements are frequent among allied craft unions and employers within the same industry.

JOINT COUNCIL (or Board). A delegate body composed of representatives of various locals of the same National union within a given city or other area. Some are known as District Councils.

JOINT HIRING HALL. An employment office administered jointly by a union or union central body and an employers' association such as exists on the Pacific Coast for longshoremen.

JOURNEYMAN. A worker in a skilled trade who has served an apprenticeship to qualify himself for such work. (See Apprentice)

JURISDICTIONAL DISPUTES. A dispute (which may or may not develop into a work stoppage) between two or more unions concerning the right to gain or retain the control of jobs in a particular trade, or the assignment of workers to these jobs. Sometimes confused with a rival union dispute but basically the issue is very different. The latter involves the question as to which one of two or more unions shall represent the workers already employed in a plant or other bargaining unit. In a

jurisdictional dispute the issue is which group of workers, that is members of which union, shall have the right to be employed on the jobs in question. (See Rival Union Dispute, Union Jurisdiction)

KICKBACK. The return of a portion of an employee's wages to his employer or foreman upon threat of the employee's losing his job or as a bribe for obtaining a job. (See Anti-kickback Law)

LABEL. A tag or imprint on a product to indicate that it has been made under union conditions.

LABOR GRADE. The category to which a particular job is assigned on the basis of skill, experience, and other requirements, each grade from common labor to those including the highest skilled occupations having progressively higher minimum and maximum wage rates. The practice of labor grading is common in large plants having a multitude of different kinds of jobs, the purpose being to simplify the wage structure and facilitate transfers of personnel. (See Job Evaluation)

LABOR LAWS. Usually applied to federal or state legislation aimed at improving the conditions of workers or protecting the rights of labor unions; any legislation pertaining to workers and working conditions. (See Antilabor Legislation, Federal Labor Legislation)

LABOR RELATIONS. A general term used in connection with any or all matters of mutual concern to employers and employees. Sometimes given a more limited meaning to indicate the kind of recognition in effect between an employer and union.

LABOR TURNOVER. A statistical measure of changes in personnel, usually expressed in rates per month; that is, the number of accessions and separations per 100 on the payroll.

LAYOFF. Most frequently used in connection with dismissal from a job because of lack of work although sometimes used to refer to a temporary suspension for disciplinary reasons in contrast to a permanent discharge. Laid-off employees usually retain seniority rights to re-employment for more or less extended periods of time.

LEARNER. A beginner in an occupation which requires a relatively shorter time to learn than a skilled trade where apprenticeship is required. Unlike apprenticeship, there is no formal responsibility on the part of the employer or the union in the matter of instruction although the length of the learner periods may be specified for purposes of wage setting. (See also Apprentice)

LEAVE OF ABSENCE. Allowed time off from a job with the right of reinstatement and without loss of seniority.

"LITTLE STEEL." Refers to steel companies other than the U. S. Steel Corporation. The term was first used during the 1937 strikes against these companies for union recognition, the U. S. Steel Corporation, or "Big Steel," having previously granted recognition.

LOBSTER SHIFT. Popular term applied to the work shift which begins at midnight or ends in the early morning hours. (See Continuous Process, Shift)

LOCAL INDUSTRIAL UNION. A local union chartered by and directly affiliated with the Congress of Industrial Organizations in contrast to locals belonging to National unions. (See Federal Labor Union)

LOCAL UNION. Although the term could be applied to any labor organization whose membership is confined to a single locality, the term is generally used to refer to local organizations which have been chartered by, and are affiliated with, a National union.

LOCKOUT. A temporary withholding or shutting down of work by an employer, in protest against employee actions or to coerce them into accepting his terms. (See Strike)

LONGEVITY PAY. Wages based on length of service; may be in the form of graduated wage rates or an extra bonus or per cent added to regular or base earnings. (See also Automatic Wage Adjustment)

MAINTENANCE OF MEMBERSHIP. An arrangement whereby employees who voluntarily join the union must maintain their membership for the duration of the agreement as a condition of continued employment.

MAJORITY REPRESENTATION. A determination by an appropriate agency (for example, the National Labor Relations Board) that a certain union shall be the collective bargaining agency for all the employees within the bargaining unit on the basis of an election that such union is favored by a majority of the employees. (See Bargaining Unit, Collective Bargaining)

MAKE-UP WAGES. Difference between actual piecework earnings and earnings at guaranteed rates, or statutory minimum rates. (See Incentive Wages, Fair Labor Standards Act)

MAKE-UP WORK. Work performed outside regular hours to make up for time lost because of absences; for example, work done on Saturday or an employee's usual day off.

MANIT SYSTEM. An incentive wage plan in which work performance is measured in man-minutes (called "manits") and extra payments are allowed for "manit" production in excess of 60 per hour.

MARGINAL WORKER. A worker who by reason of age, mediocre skill, or other reason, is able to obtain employment only during periods when the labor supply is limited.

MASTER AGREEMENT. A union agreement signed by the dominant employer or several of the largest employers in an industry, or by an employers' association which includes most of the employers in the industry. Since the terms of such agreements usually establish the pattern of the agreements to be negotiated subsequently in the balance

of the industry, there is in effect little difference between a Master Agreement and a Standard or Model Agreement. (See also Standard Agreement)

MEASURED DAY RATE. A wage plan wherein each individual's hour (or day) rate is periodically adjusted according to his average efficiency during the preceding period. (See Incentive Wages)

MEDIATION. An effort by an outside person to bring the employer and worker representatives into agreement. Mediation in its very essence implies voluntarism, the mediator's sole function being to assist the disputants to reach a settlement rather than in making a settlement for them as in the case of an arbitrator. (See Arbitration, Conciliation)

MERIT INCREASE. A wage increase granted to an individual worker because of his improved efficiency or quality of work in contrast to a longevity increase based on length of service, or a promotion increase due to a transfer to a more highly paid job, or an increase resulting from a general rise in wage levels.

MERIT RATING. A formalized periodic rating of employees' efficiency and other qualifications to be used as a basis for wage increases and promotions and, in some plants, as one factor taken into consideration to determine order of layoff. Also used in connection with some state unemployment compensation laws with reference to reducing contributions of employers who meet specified standards of employment regularization. (See Experience Rating)

MODEL AGREEMENT. (See Standard Agreement)

MODIFIED UNION SHOP. An agreement between an employer and a union requiring all present members to retain their membership and all new employees to become members, but does not require employees who were not members at the time the agreement was signed to join the union. (See Union Shop)

"MORE FAVORABLE TERMS." An agreement by a union that it will not grant more advantageous terms (for example, lower wage rates) to any competitor of the employer signing the agreement.

MOTOR CARRIERS ACT. An act passed in 1935 giving the Interstate Commerce Commission authority to regulate maximum hours of work of employees responsible for the safe operation of passenger and freight motor vehicles operated in interstate or foreign commerce.

MULTICRAFT UNION. A craft union whose jurisdiction covers several distinctly different skilled occupations.

MULTIPLE SHIFT. (See Shift)

NATIONAL LABOR-MANAGEMENT RELATIONS ACT (Taft-Hartley Act). A federal law enacted in 1947 to replace the National Labor Relations Act. Although it reaffirms workers' rights to bargain collectively, it makes illegal many activities which unions consider necessary for their

effectiveness and growth and deprives them of some of the protections afforded under the 1932 Anti-injunction Law.

NATIONAL LABOR RELATIONS ACT (Wagner Act). An act passed in 1935 which guaranteed to employees in any industry engaged in interstate commerce the "right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection."

NATIONAL UNION. A union having broad regional coverage with numerous affiliated locals (See International Union)

NONCONTRIBUTORY WELFARE PLAN. A health or pension program for the benefit of employees which is financed entirely by the employer.

NONPRODUCTION BONUS. An extra payment to an employee based on a factor other than the output of the worker, such as a Christmas bonus, attendance bonus, or payment in reward for waste elimination.

NORRIS-LAGUARDIA ACT. (See Anti-injunction Law)

OPEN-END AGREEMENT. A collective bargaining agreement which has no fixed termination date but which is in effect indefinitely, subject to a specified number of days' notice by either party that it considers the agreement at an end.

OPEN SHOP. Theoretically, a shop where both union and nonunion members are employed. Before union discrimination became illegal, the so-called "open shop" campaigns conducted by employers were in reality an effort to keep unions and union members out of their plants. "Open shop" thereupon became a term of derision, unions claiming it signified "closed to union members."

OPEN UNION. A union which accepts into membership any qualified person employed in the trade or industry over which the union has jurisdiction; a union whose initiation fees are not prohibitive and whose membership rules are not restrictive as to race, sex, etc.

OUTLAW STRIKE. (See Illegal Strike)

OVERTIME. Time worked beyond the standard established by law, employer-union agreements or company regulations, for which "penalty" rates, that is, higher than regular wage rates, are paid. Sometimes used to refer to the wages paid rather than the actual overtime worked, for example, referring to two hours' actual work at time and one-half rate as being three hours' overtime.

PACE SETTER. An unusually fast worker selected by the employer for use in gauging the amount of work that can be done in a given time as basis for establishing piece rates.

PACKAGE INCREASE. A combination of benefits, including wage increases,

insurance, paid holidays, etc. The term generally implies that during the bargaining the parties agreed that a specified number of cents increase is to be applied toward pay increases and the financing of specified benefit programs.

PATTERN WAGE INCREASE. A uniform increase awarded throughout an industry or industries even though the collective bargaining is done on a company by company basis.

PENALTY RATES. Commonly applied to extra rates paid for overtime and for Sunday and holiday work as well as hazardous or onerous work; also sometimes used to designate higher rates for nightwork, although more commonly these are referred to as shift bonus or shift differential rates.

"Penalty rate" is used interchangeably with "premium rate," although employees are prone to use the former to apply to Sunday and overtime work which they seek to discourage, in contrast to reward or premium wages for duties which must be performed but which, because of their inconvenient hours or unpleasant or hazardous nature, deserve extra compensation.

PERMISSIVE WAGE ADJUSTMENT. Provisions in employer-union contracts allowing either party to reopen the question of wage rates whenever any one or a number of specified changes in conditions have taken place either inside or outside the plant, for example, changes in cost of living or general economic conditions or changes in methods of doing the work. (See also Automatic Wage Adjustment)

PERMIT CARD. A card issued by the union to a nonmember, which permits him to accept temporary employment with an employer who has a union shop contract.

PERMIT FEE. Money charged by a union to a nonunion applicant, which permits him to accept temporary employment on a "union job."

PERQUISITES. Goods or services furnished by an employer which could be considered as an addition to wages; for example, free meals or lodging, right to buy goods from the employer at a discount, etc.

"PICK." (See Run)

PICKETING. A person or persons posted by a labor organization at the approach of a work place during a labor dispute for the purpose of (a) informing the public and employees that a dispute exists, (b) persuading workers to join or continue the strike or boycott, (c) preventing persons from entering or going to work.

Mass picketing is a parading of large numbers before the entrance and is used for its dramatic effect or when considerable resistance from the employer or nonparticipating employees is anticipated.

Cross picketing denotes picketing by two or more rival unions, each of whom claims to represent the employees of the establishment.

Secondary picketing refers to the picketing of an employer not directly involved in the labor dispute but connected through ownership or business dealings with the employer against whom the union is engaged in a dispute.

PIECEWORK. A form of incentive wages which pays a fixed sum for each article produced or worked on. (See also Incentive Wages, Timework)

PORTAL-TO-PORTAL PAY. Payment for time spent on company premises in getting to and from the work place; for example in mining, the computation of hours worked to include travel time between the mine entry and place of work of each miner.

POSTING. (See Bidding)

PREFERENTIAL SHOP. An agreement between an employer and union whereby union members are afforded preference over nonmembers in some aspect of employment; for example, the last to be laid off and the first to be rehired. (See Closed Shop, Union Shop)

PREMIUM PAY. Variously ascribed to extra payments over normal wage rates to which employees are entitled because of work beyond or outside of regular hours, or for output beyond established minimum standards, or for especially hazardous or onerous work. (See Penalty Rates, Overtime, Incentive Wages, Shift Differentials)

PREVAILING WAGE LAW (DAVIS-BACON ACT). An act passed in 1931 (with subsequent amendments) requiring the payment of minimum rates, which are equal to those prevailing throughout the industry, on all federally financed public works contracts in excess of \$2,000.

PROBATIONARY EMPLOYEE. A new employee on a trial basis who is usually not covered by seniority or other protective rules and, under most union-shop arrangements, is not required to join the union. (See Learner, Trial Period)

PRODUCTION BONUS. (See Incentive Wages)

PRODUCTIVITY. Amount produced in relation to effort or time expended; a measurement of unit output per worker or per man-hours or-days worked.

PROFIT SHARING. A plan by which employees receive a specified proportion of the company's net earnings or of earnings above a specified amount; usually prorated according to employees' service records or other formula and distributed in the form of annual or semiannual bonuses.

PROGRESSION SCHEDULE. A formal plan for the automatic promotion and increase of employees' wage rates at stated intervals. (See Labor Grade, Longevity Pay)

PROGRESSION WAGES. Graduated wages, within specified limits for each job, based on length of service or merit ratings in contrast to increased wages resulting from promotions to higher jobs.

PUBLIC CONTRACTS ACT (WALSH-HEALEY ACT). An act passed in 1936 which requires that persons employed on United States government contracts for materials, supplies, articles, or equipment amounting to more than \$10,000 be paid no less than the prevailing wages in the industry, that time and one-half be paid for all time worked in excess of 8 hours per day or 40 hours per week, that no convict or child labor be used, and that safe and healthful working conditions be maintained.

"QUICKIE" STRIKE. A spontaneous stoppage of work by a group of employees without the sanction or approval of the union.

RAILWAY LABOR ACT. An act enacted in 1926, amended in 1934 and 1936, governing labor relations of railroads and airlines and their employees. It guarantees employees the right to organize and bargain collectively; requires employers to enter into written agreements with their employees and to file copies of such agreements with the National Mediation Board; established the National Mediation Board, whose function is to certify the employees' representation agents and to mediate disputes concerned with terms of new contracts; established the National Railroad Adjustment Board, whose duty is to make final decisions in disputes over the interpretation or application of provisions in existing agreements; requires 30 days' strike notice to the President and forbids any strikes during this period and for 30 days following the report of an Emergency Board appointed by the President.

"RAT." A union term of opprobrium for a strikebreaker.

RATE CUTTING. A term sometimes applied to any reduction of established piece rates; more accurately applied to the arbitrary reduction of rates by an employer where no changes in the job have taken place in contrast to revision of rates due to changes in methods or machinery used.

RATE RANGE. A range of rates for the same job, with specific rates of individual workers within the range determined by merit, length of service, or a combination of merit and length of service.

RATIONALIZATION. Sometimes used as synonymous to "scientific management," that is, techniques for internal shop management which decrease costs and improve efficiency; also used in connection with plans and controls for an entire industry, such as cartel arrangements.

"RATTING." Accepting employment at lower than union wage rates. Term commonly used by union printers.

"REAL" WAGES. The purchasing power of a dollar of wages; that is, money wages in relation to cost of living or price levels. For example,

if wage rates have increased 10 per cent and cost of living has also increased 10 per cent during any period, then real wages have remained the same.

REFEREE. (See Umpire)

REPORTING PAY. (See Call Pay)

RESTRICTION OF OUTPUT. (See Work Restriction)

RETROACTIVE PAY. (See Back Pay)

RIVAL UNION DISPUTE. A dispute between two or more unions over the issue of which one shall represent a particular group of workers as their collective bargaining agent. A rival union dispute differs from a jurisdictional dispute in that the latter is concerned with claims to jobs or kinds of work, whereas in a rival union dispute the unions acknowledge no jurisdictional boundaries between them but each is contending for the right to represent the workers on the jobs. (See Jurisdictional Disputes)

ROTATING SHIFTS. Where two or more shifts of workers are employed, the practice of having the several crews change their hour schedules at periodic intervals so that each in turn works on the day and night shifts. On continuous seven-day operations there might also be rotation of day schedules causing days-off to fall on different calendar days. (See Fixed Shifts, Swing Shift)

"RUN." A term used, especially in the transportation industry, to designate a work assignment; in local transportation a run usually refers to an entire day's or week's working schedule of an employee as distinct from one trip. Sometimes referred to as "pick" because of the customary procedure for employees to pick or choose their runs on the basis of their seniority.

RUNAWAY RATE. A piece rate or other incentive rate which results in earnings that are out of line with earnings in other jobs of similar requirements. May occur because of changes in methods or from faulty rate setting. Sometimes referred to as "loose" rates.

RUNAWAY SHOPS. Businesses which have changed location to escape from union conditions or state labor laws. Especially used in connection with establishments which have moved from New York City to outlying communities in neighboring states, or from Northern states to the South.

SABOTAGE. Act of obstructing or interfering with processes of work by an employee or employees in order to coerce the employer. Sabotage is associated with "direct action" tactics and ranges from peaceful restriction of output to the destruction of machines and materials.

The origin of the term is not fully known and is variously ascribed to the habit of irate French workmen of throwing their wooden shoes

(*sabots*) into the machinery or to the dragging, clumsy movements of wooden shoes worn by workers. It was adopted by the French organized labor movement in 1897. "Soldiering" is the American and "canny" is the British equivalent to peaceful sabotage. In recent years the term "sabotage" is more especially used in connection with the destruction of employers' property rather than deliberate slowing down of effort.

SCAB. An employee who continues to work during a strike; also a person who accepts employment in a nonunion shop or under nonunion conditions at a time when the union is trying to organize the industry.

SCIENTIFIC MANAGEMENT. A term used by Frederick Taylor and his successors to refer to those carefully worked out job techniques (by an engineer) designed to decrease costs and improve efficiency, such as plant layout, work scheduling, time and motion study, job analysis and incentive wage systems. (See Taylor, Time and Motion Study, Incentive Wages, Rationalization)

SCRIP. A certificate issued by an employer in lieu of cash wages, usually redeemable only at a company store.

SEASONAL INDUSTRY. A term loosely applied to any industry which normally has one or two periods of full employment each year interspersed by general layoffs or part-time employment. Under the Fair Labor Standards Act the term is limited to those industries which in periodic recurring parts of the year are forced to cease production because "the materials handled, extracted or processed are not available owing to climate or other natural conditions."

SEASONAL TOLERANCES. Waiving of penalty overtime rates for extra hours worked, or waiving of hours limitations, during peak periods of production as provided in some employer-union agreements and in some state laws as well as the Fair Labor Standards Act for certain seasonal (for example, agricultural processing) industries. (See Overtime)

SECONDARY BOYCOTT. (See Boycott)

SECONDARY STRIKE. A strike against an employer who uses or sells materials from a struck plant; differs from a sympathetic strike in that there is a business connection between the employers involved in the initial and the secondary strikes. (See Strike, Sympathetic Strike)

SENIORITY. Employment rights and privileges based on length of service; the measure of a claim, in relation to other employees, to a particular job or to employment within a plant or any division in a plant. (See also Layoff, Leave of Absence)

SEPARABILITY CLAUSE. A stipulation in an employer-union agreement which protects the validity of the remainder of the contract should any particular provision be declared illegal or void for any reason.

SEVERANCE PAY. (See Dismissal Wage)

SHAPE-UP. In longshoring, the system of having men line up ("shape") at least once a day at the piers or other places where representatives of the steamship or stevedoring companies select those they wish for the day's work or job at hand.

SHIFT. A work period in a working schedule which includes more than one set of workers, for example, day and night shifts; term also applied to the workers employed on the shifts, for example, "shift workers." In some industries the term "tour" is more commonly used than shift. (See Fixed Shift, Rotating Shift, Swing Shift)

SHIFT DIFFERENTIAL. Special remuneration for work performed on other than the regular day schedule; may include a per cent or amount over the day rate, or shorter hours with full pay, or both. Differentials may vary between shifts, that is, a higher rate for the midnight than for the afternoon shift.

SHOP CHAIRMAN. A union steward usually chosen by the department stewards from among their own number, although he may be elected by the members within the plant, to serve as chairman over all the stewards in the plant and to deal with top management officials in adjusting matters not settled satisfactorily by the department stewards and foremen. (See Business Agent, Steward)

SIT-DOWN STRIKE. A protest stoppage in which the workers involved remain at their work-place in contrast to a strike where workers leave the plant and establish picket lines.

"SLAVE LABOR ACT." Term of scorn used by unions in reference to the 1947 Taft-Hartley Act.

SLIDING SCALE. Wage rates which are automatically adjusted to changes in the selling price of the commodity produced in accordance with a fixed formula.

SLOWDOWN. A deliberate lessening of work effort for a definite purpose and time. In motive a slowdown is similar to a strike and differs from the latter only in degree of stoppage involved.

SOLE BARGAINING. The legal or contractual right of a particular union to bargain for all employees, union and nonunion, within the bargaining unit. (See Collective Bargaining, Bargaining Unit)

"SOLDIERING." Loafing on the job. Differs from a "slowdown" in that there is no motive involved to bring pressure upon the employer for any particular purpose. (See also Slowdown, Sabotage)

SPEED-UP. A term used by workers to apply to conditions which force them to increase their efforts with no compensating increase in earnings. Speed-up may take the form of a direct increase in work load or it may be the result of rate cutting which forces workers to push up their output in order to maintain their earnings. (See also Rate Cutting, Stretch-out)

SPIES. (See Stoolpigeon)

SPENDABLE EARNINGS. Money earnings less routine deductions for social security, income taxes, union dues, etc. Sometimes referred to as "take-home pay."

SPLIT SHIFT. A work schedule in which there is a break in the daily hours, for example, restaurant employees who work several hours at noon and again in the evening.

STANDARD AGREEMENT. A collective agreement prepared by the National union for use by its locals. The purpose of a standard agreement is not only to relieve the locals of the task of drafting their own agreements but also to promote the standardization of working conditions throughout the industry. (See Master Agreement)

"STANDARD TIME." A general term applied to any kind of wage incentive system which uses units of time rather than number of pieces produced for measuring premium earnings; for example, 5 hours' pay for performing a designated 5-hour task in 4 hours.

STEWARD. A person elected by the employees within a plant or department to represent them in the adjustment of their grievances with the employer. (See Business Agent, Shop Chairman)

STOOLPIGEON. A person in the hire of the employer (or a detective agency servicing the employer) who joins the union to spy on union members and their activities and to create confusion and suspicion among the members in order to break up the union.

The term is sometimes used interchangeably with "spy" but the latter may work from the outside while a stoolpigeon wangles his way into union membership and not only obtains information for the employer but also actively seeks to disrupt the union. (See also Strike-breaker)

"STOOP LABOR." Farm labor which requires bending or kneeling down as, for example, cotton picking and cultivation of vegetables.

STRAIGHT TIME. Regular time or wages exclusive of overtime.

STRETCH-OUT. Requiring an operator to tend more machines or do more work without a commensurate increase in pay. In effect, stretch-out is synonymous with speed-up, the term "stretch-out" being most frequently used in the textile or other industries where machines are largely automatic.

STRIKE. A temporary stoppage of work by a group of employees in order to express a grievance or to enforce a demand concerning changes in working conditions. Government statistics exclude all strikes lasting less than one day or involving fewer than six workers, and make no distinction between strikes and lockouts. (See also General Strike, Illegal Strike, Sit-down Strike, Sympathetic Strike)

STRIKEBREAKERS. Outside persons hired during a labor dispute to fill the

jobs of those on strike; more especially those hired for the duration of the strike where there is no intention of retaining them as permanent employees. Also used to refer to spies and "strong-arm" men employed to break up a strike by fomenting confusion and violence. (See also Anti-strikebreaking Act, "Rat," Scab)

SUBCONTRACTING. (See Contracting)

SUBSTANDARD EMPLOYEE. A worker who, because of physical or mental handicaps, is unable to maintain normal production standards and who, therefore, may be paid less than the regular rate.

SUPERANNUATED RATE. A rate of pay below the prevailing level or union rate for a worker above a certain age. Some union agreements require the employer to employ a specified ratio of older workers, allowing them to be paid less than the going union rates.

SWING SHIFT. The fourth shift or fourth crew of workers on continuous operation schedules; sometimes refers to the entire four-shift arrangement. The name is derived from the necessary expedient on round-the-clock operations of having one shift (or all four shifts depending upon the nature of the "swing") rotate to different days and hours at specified intervals.

SYMPATHETIC STRIKE. A strike of workers who are not directly concerned with the matter in dispute but have participated in order to demonstrate worker solidarity and thus broaden the group pressure upon the employer against whom there is a strike for a specific cause. (See also General Strike, Secondary Strike)

SYNDICALISM. A French term for trade-unionism. In this country the term is connected with the revolutionary philosophy based on the idea that syndicates or unions should take over, own and operate the industries, as opposed to the trade union philosophy that unions are instruments to improve the condition of workers under capitalism. The best-known syndicalist movement in this country was the Industrial Workers of the World, active before and during World War I, which was strongly tinged with political anarchism.

TAFT-HARTLEY ACT. (See National Labor-Management Relations Act)

TAKE-HOME PAY. (See Spendable Earnings)

"TANDEM" WAGE INCREASE. An increase automatically given a group of employees as the result of an increase negotiated with another group. For example, a pay increase to office workers similar to that negotiated with production workers.

TASK. Under wage incentive systems the amount of production per unit of time which is necessary to earn the base rate of pay, sometimes referred to as "standard time" or production or job standard. (See Base Rate, Incentive Wages)

TAYLOR, FREDERICK. An engineer, active during the 1890's and early 1900's, who is commonly considered to be the founder of the "scientific management" movement; a proponent of functionalized management, time and motion study, and a differential piece rate system whereby a worker who accomplishes a specified maximum standard is paid a certain rate for each piece and a lesser rate per piece if the maximum standard is not accomplished. (See Scientific Management)

TECHNOLOGICAL UNEMPLOYMENT. Displacement of workers due to introduction of or improvements in machinery and new methods of production.

TEMPORARY EMPLOYEE. One who is employed for a short period of time and who therefore does not have seniority rights or other privileges incident to permanent status. Under union-shop agreements may be given a working permit in lieu of union membership.

TERMINAL JOBS. Jobs which have no promotion possibilities; "blind alley" jobs.

"TEST HANDS." Persons selected for time study in establishing job standards and piece rates. (See also Time Study, Incentive Wages)

TIME AND MOTION STUDY. Observing the motions and measuring the time which an operator takes to perform a job or job element, usually with a stop watch, for purpose of establishing job standards and incentive wage rates.

TIMEWORK. Employment where wages are based on a fixed amount per hour or day in contrast to piecework or other form of incentive pay.

TOUR. (See Shift)

TRIAL PERIOD. The time a new employee (or an old employee on a new job) is given to prove his competency and thus qualify for permanent status. (See Apprentice, Learner, Probationary Employee)

TRICK. A work period, such as a shift.

UMPIRE. An outside person employed jointly by the union and the employer, usually for a definite period of time, to whom are referred for final decision disputes over the interpretation or application of provisions of the agreement. Although arbitrator, impartial chairman, referee, and umpire are sometimes used indiscriminately, the latter three are more commonly applied when such persons serve in a permanent capacity as distinguished from an arbitrator who is appointed to settle a particular dispute.

Sometimes the distinction is made between impartial chairman and umpire (or referee), the former serving both as an adviser while the agreement is being negotiated and as an interpreter or arbitrator after the agreement is signed. An umpire, on the other hand, takes no part in agreement negotiations but renders final decisions upon the request

of either or both parties on the interpretation and application of an already signed agreement.

"UNFAIR" EMPLOYER. Specifically, an employer who has committed an unfair labor practice as defined by law. In union parlance it may refer to any nonunion employer.

UNION AGREEMENT. (See Collective Agreement)

UNION JURISDICTION. The types of work, or entire industry, which a union claims, or which its federated body (A.F.L. or C.I.O.) has assigned to it as a basis for its membership. (See Jurisdictional Disputes)

UNION-SHOP CARD. A card issued by the union for display by the employer to indicate that he is operating under union conditions. Commonly used by barbershops, restaurants and other retail and service industries. Analogous to use of union label in manufacturing.

UNION-MANAGEMENT CO-OPERATION. In its broadest sense, refers to any peaceful management-union negotiations including bargaining over terms of employment. More commonly the term is given a limited meaning to refer to those jointly sponsored activities which are directed to the improvement and expansion of the business, such as cost savings, improvement in production procedures and quality of output, sales promotion, etc.

UNION SECURITY. Term commonly applied to provisions in collective agreements, which grant the union shop or require maintenance of membership of those who once join the union.

UNION SHOP. An agreement between an employer and union which requires all employees immediately after hiring or after a specified probationary period, to become and remain members of the union.

UNLICENSED PERSONNEL. Seamen who are not required to have a license; that is, ordinary seamen, stewards, cooks, firemen, etc. as distinct from masters, mates, pilots, and engineers.

VERTICAL UNION. A union whose claimed jurisdiction covers all occupations from the production of raw materials to fabricated products. There is no clear line of distinction between a vertical and an industrial union.

VOLUNTARY CHECKOFF. (See Checkoff)

WAGE AND HOUR ACT. (See Fair Labor Standards Act)

WAGE ATTACHMENT. (See Garnishment)

WAGE AWARD. The specified wage rates determined by an arbitrator or government agency.

WAGE BRACKETS. A device introduced by the War Labor Board during World War II which defined minimum and maximum allowable limits for each occupation for wage rate changes.

WAGE DIFFERENTIALS. Established differences in wages paid for the same kind of job because of differences in working or living conditions, for example, day versus night rates or rates adjusted to differences in cost of living between communities.

WAGE RATE. Amount of pay for a specified unit of labor, such as an hour's work. (See also Piecework, Timework)

WAGES. As distinct from "earnings," wages usually refer to regular wage rates or remuneration for work performed under normal conditions, that is, exclusive of overtime and holiday work or work performed under other special circumstances. (See also Earnings, Incentive Wages, "Real" Wages)

WAGE STABILIZATION. Any plan to keep wages in an area or industry at established levels. Used particularly with reference to government plans for preventing inflation during war periods.

WAGNER ACT. (See National Labor Relations Act)

WAITING TIME. (See "Dead" Time)

WALSH-HEALEY ACT. (See Public Contracts Act)

WATCH. The specified time when a seaman is on duty. Comparable to shift or work period in other types of employment.

WELFARE MANAGEMENT. Activities conducted by the employer for the comfort and improvement of his employees; industrial paternalism. Sometimes used as a term of derision for companies who offer welfare programs as substitutes for collective bargaining.

WILDCAT STRIKE. (See "Quickie" Strike, Illegal Strike)

WORKING EMPLOYER. One who employs others but more or less regularly performs the same kind of work as is done by his employees. Some unions restrict the amount and kind of work employers may do in order to prevent persons not subject to the terms of the agreement from doing work which the union believes should be done by its members.

WORK LOAD. The quantitative measure of an hour's or a day's performance on a job. The term is usually applied to a standard of output which is supposed to represent reasonably efficient production without risk to health or safety. (See also Speed-up, Task)

WORKMEN'S COMPENSATION. Insurance systems established by law providing weekly cash benefits and medical services to workers who suffer physical injury during the course of their employment, irrespective of carelessness of worker or negligence of employer.

WORK RESTRICTION. A tacit understanding or planned movement among a group of employees to limit output below the standard of efficiency which could be maintained without risk to health and safety. Restriction of output may be (1) a temporary act to gain an immediate definite concession from the employer in which case it takes on the nature

of a slowdown strike (2) an effort to prolong a job and prevent unemployment. (See Featherbedding, Sabotage, Work Load)

WORK SHARING. A definite plan introduced by an employer, or through collective agreement by an employer and union, by which the reduced amount of work during slack seasons is "spread" among employees by reducing each worker's daily or weekly hours.

YELLOW-DOG CONTRACT. A term of derision to refer to the document which many employers formerly compelled their employees to sign as a condition of employment, wherein the employee promised that he would not join a labor union or otherwise participate in concerted action. (See Anti-injunction Act)

UNION DIRECTORY, 1951^a

NAME	AFFILIATION	CONVENTIONS	LOCALS	MEMBER-SHIP ¹
Actors & Artistes of America, Associated	A. F. L.	²	11	40,000
Air Line Dispatchers Ass'n	A. F. L.	Annually	80	500
Air Line Pilots Ass'n, Int'l	A. F. L.	Every 2 years	95	6,100
Air Line Stewards & Steward- esses Ass'n, Int'l	A. F. L.	Every 2 years	62	2,700
Architects & Draftsmen's Unions, Int'l Fed. Technical Engineers	A. F. L.	Annually	55	6,000
Asbestos Workers, Int'l Ass'n of Heat and Frost Insulators and	A. F. L.	Every 5 years	124	6,000
Associated Unions of America	Ind.	Annually	20	6,600
Automobile, Aircraft & Agricultural Implement Workers of America, United	C. I. O.	Every 2 years	1,050	1,250,000
Automobile Workers of America, Int'l Union, United	A. F. L.	Every 4 years	225	54,300
Bakery & Confectionery Workers' Int'l Union of America	A. F. L.	Every 5 years	376	170,000
Barbers & Beauty Culturists Union of America	C. I. O.	Every 3 years	39	²
Barbers, Hairdressers, Cos- metologists & Proprietors' Int'l Union of America, Journeymen	A. F. L.	Every 5 years	850	61,900
Bill Posters, Billers & Dis- tributors, Int'l Alliance of	A. F. L.	Every 2 years	71	1,600
Boilermakers, Iron Ship Builders & Helpers of America, Int'l Bro.	A. F. L.	Every 4 years	900	200,000
Bookbinders, Int'l Bro. of	A. F. L.	Every 2 years	244	47,000

^a Footnotes on page 260.

Brewery, Flour, Cereal, Soft Drink & Distillery Workers of America, Int'l Union of United	C. I. O.	Every 2 years	248	50,000
Brick & Clay Workers of America, United	A. F. L.	Every 2 years	350	23,000
Bricklayers, Masons & Plas- terers Int'l Union of America	A. F. L.	Every 2 years	843	65,000
Bridge, Structural & Ornamental Iron Workers, Int'l Ass'n of	A. F. L.	Every 4 years	295	105,400
Broadcast Engineers & Technicians, Nat'l Ass'n of	Ind.	Annually	18	2,400
Broom & Whisk Makers' Union, Int'l	A. F. L.	3	13	500
Building Service Employees' Int'l Union	A. F. L.	Every 5 years	400	178,000
Carpenters & Joiners of America, United Bro. of	A. F. L.	Every 4 years	2,786	735,000
Cement, Lime & Gypsum Workers Int'l Union, United	A. F. L.	Every 2 years	209	33,200
Chemical Workers Union, Int'l	A. F. L.	Annually	400	130,000
Cigar Makers' Int'l Union of America	A. F. L.	Every 4 years	102	11,200
Cleaning & Dye House Work- ers, Int'l Ass'n of	A. F. L.	Every 5 years	40	19,500
Clothing Workers of America, Amalgamated	C. I. O.	Every 2 years	572	375,000
Communications Ass'n, American	Ind. ⁴	Every 2 years	2	2
Communications Workers of America	C. I. O.	Annually	900	300,000
Confederated Unions of America	Ind.	Annually	78	2
Coopers' Int'l Union of N.A.	A. F. L.	Every 2 years	66	5,000
Diamond Workers' Protective Union of America	A. F. L.	2	2	500
Die Sinkers Conference, Int'l	Ind.	Semiannually	38	3,500
Distillery, Rectifying & Wine Workers' Int'l Union	A. F. L.	Every 2 years	82	33,800

Electrical, Radio & Machine Workers, Int'l Union of	C. I. O.	2	207	251,000
Electrical, Radio & Machine Workers of America, United	Ind. 5	Annually	2	2
Electrical Workers, Int'l Bro. of	A. F. L.	Every 2 years	1,493	450,000
Elevator Constructors, Int'l Union of	A. F. L.	Every 5 years	98	10,300
Engineers, Int'l Union of Operating	A. F. L.	Every 4 years	2	150,000
Engineers, Architects & Scien- tists, Nat'l Professional Ass'n	Ind.	Annually	5	1,420
Engravers & Sketchmakers, Friendly Society of	Ind.	Annually	2	453
Farm Labor Union, National Federal Employees, Nat'l Federation of	A. F. L.	Annually	265	17,500
Fire Fighters, Int'l Ass'n of	Ind.	Every 2 years	1,079	93,000
Firemen and Oilers, Int'l Bro. of	A. F. L.	Every 2 years	802	68,000
Flight Engineers' Int'l Ass'n.	A. F. L.	Every 5 years	1,184	58,000
Food, Tobacco, Agricultural & Allied Workers Union of America	A. F. L.	Every 2 years	5	650
Foreman's Ass'n of America	Ind. 4	Every 2 years	2	2
Foundry & Metal Employees, Int'l Bro. of	Ind.	Annually	92	19,650
Fur & Leather Workers' Union of U.S. & Canada, Int'l	Ind.	Annually	18	2,500
Furniture Workers of America, United	Ind. 4	Every 2 years	130	100,000
Garment Workers of America, United	C. I. O.	Every 2 years	125	45,000
Garment Workers' Union, Int'l Ladies'	A. F. L.	Every 5 years	2	40,000
Gas, Coke & Chemical Workers of America, United	A. F. L.	Every 3 years	489	423,000
Glass Bottle Blowers Ass'n of the U.S. and Canada	C. I. O.	Every 2 years	275	50,150
Glass, Ceramic & Silica Sand Workers of America, Federation of	A. F. L.	Every 2 years	248	36,000
Glass Cutters' League of America, Window	C. I. O.	Every 2 years	87	34,000
	A. F. L.	2	12	1,600

Glass Workers' Union, America Flint	A. F. L.	Annually	255	28,200
Glove Workers' Union of America, Int'l	A. F. L.	Every 2 years	30	3,000
Government Employees, American Federation of	A. F. L.	Every 2 years	1,108	52,400
Grain Millers, American Federation of	A. F. L.	Every 2 years	194	35,000
Granite Cutters' Int'l Ass'n of America, The	A. F. L.	6	63	4,000
Guard Workers of America, Int'l Union	Ind.	Every 2 years	30	7,000
Guards Union of America, Int'l	Ind.	2	23	9,000
Handbag, Luggage, Belt & Novelty Workers' Union, Int'l	A. F. L.	Every 3 years	108	35,000
Hatters, Cap & Millinery Workers Int'l Union, United	A. F. L.	Every 2 years	95	32,000
Hod Carriers', Building & Common Laborers' Union of America, Int'l	A. F. L.	6	950	282,500
Horseshoers of the U.S. & Canada, Int'l Union of Journeyman	A. F. L.	Every 2 years	12	200
Hosiery Workers, American Federation of	A. F. L.	Annually	83	50,000
Hotel & Restaurant Employees & Bartenders Int'l Union	A. F. L.	Every 4 years	700	400,000
Industrial Trades Union of America	Ind.	2	48	10,000
Industrial Workers of the World	Ind.	Annually	35	16,000
Insurance Agents Int'l Union	A. F. L.	2	230	2
Jewelry Workers' Union, Int'l	A. F. L.	Every 3 years	60	15,000
Lace Operatives of America, Amalgamated	Ind.	Every 5 years	37	4,000
Lathers, Int'l Union of Wood, Wire & Metal	A. F. L.	Every 3 years	275	12,000
Laundry Workers' Int'l Union	A. F. L.	Every 4 years	203	88,000
Letter Carriers, Nat'l Ass'n of	A. F. L.	Every 2 years	4,100	90,000

Letter Carriers' Ass'n, Nat'l Rural	Ind.	Annually	2	33,150
Life Insurance Agents, Int'l Union of	Ind.	Every 2 years	35	1,850
Lithographers of America, Amalgamated	C. I. O.	Every 2 years	74	24,000
Locomotive Engineers, Bro. of	Ind.	Every 3 years	931	79,700
Locomotive Firemen & Engine-men, Bro. of	Ind.	Every 4 years	974	103,000
Longshoremen's Ass'n, Int'l	A. F. L.	Every 4 years	450	55,400
Longshoremen's & Warehousemen's Union, Int'l	Ind. ⁴	Every 2 years	130	95,000
Machine Printers Beneficial Ass'n of the U.S.	Ind.	²	2	1,000
Machinists, Int'l Ass'n of	A. F. L.	Every 4 years	1,734	582,000
Mailers Union, Int'l	Ind.	Annually	54	2,600
Maintenance of Way Employees, Bro. of	A. F. L.	Every 3 years	1,421	171,400
Marble, Slate & Stone Polishers, Rubbers & Sawyers, Tile & Marble Setters Helpers & Terrazzo Helpers, Int'l Ass'n of	A. F. L.	Every 2 years	91	5,000
Marine Cooks & Stewards, Nat'l Union of	Ind. ⁴	Every 2 years	8	6,000
Marine Engineers' Beneficial Ass'n, Nat'l	C. I. O.	Annually	39	13,500
Marine Firemen, Oilers, Watertenders & Wipers Ass'n, Pacific Coast	Ind.	⁷	7	6,300
Marine & Shipbuilding Workers of America, Industrial Union of	C. I. O.	Every 2 years	210	90,000
Maritime Union of America, Nat'l	C. I. O.	Every 2 years	32	45,700
Masters, Mates & Pilots of America, Nat'l Organization	A. F. L.	Every 2 years	31	9,000
Meat Cutters & Butcher Workmen of N. A., Amalgamated	A. F. L.	Every 4 years	560	180,000
Mechanics Educational Society of America	Ind.	²	2	2
Mechanics & Foremen of Naval Shore Establishments, Nat'l Ass'n of Master	A. F. L.	Annually	20	525

Messengers, The Nat'l Ass'n of Special Delivery	A. F. L.	Every 2 years	135	2,200
Metal Engravers & Marking Device Workers Union, Int'l.	A. F. L.	Every 4 years	8	600
Metal Polishers, Buffers, Platers & Helpers Int'l Union	A. F. L.	Every 2 years	90	18,000
Mine, Mill & Smelter Workers, Int'l Union of	Ind. ⁴	Annually	323	91,400
Mine*Workers of America, Int'l Progressive	Ind.	Annually	2	27,900
Mine Workers of America, United	Ind.	Every 4 years	2	600,000
Molders & Foundry Workers Union of N.A., Int'l	A. F. L.	7	438	88,000
Motion Picture Salesmen of America, Colosseum of	Ind.	Annually	31	1,000
Musicians, American Federation of	A. F. L.	Annually	704	238,600
Newspaper Guild, American	C. I. O.	Annually	100	25,000
Office Employees' Int'l Union Office & Professional Workers of America, United	A. F. L. Ind. ⁴	Every 2 years Every 2 years	189 220	40,000 2
Oil Workers Int'l Union	C. I. O.	Annually	194	77,900
Optical & Instrument Workers of America, United	C. I. O.	Annually	26	2
Packinghouse Workers, Nat'l Bro. of	Ind. ⁴	Annually	2	2
Packinghouse Workers of America, United	C. I. O.	Annually	261	84,000
Painters, Decorators & Paper- hangers of America, Bro. of	A. F. L.	Every 4 years	1,385	178,000
Paper Makers, Int'l Bro. of	A. F. L.	Every 3 years	365	59,000
Paperworkers of America, United	C. I. O.	Every 2 years	176	40,000
Pattern Makers' League of N.A.	A. F. L.	7	134	11,000
Paving Cutters' Union of the U.S. & Canada	Ind.	2	10	200
Petroleum Workers, Independent Union of	Ind.	Annually	25	3,800
Photo-Engravers' Union of N.A., Int'l	A. F. L.	Annually	91	13,100

Plasterers' & Cement Masons'				
Int'l Ass'n of U.S. & Canada,				
Operative	A. F. L.	Every 2 years	562	32,000
Plate Printers, Die Stampers &				
Engravers' Union of N.A.,				
Int'l	A. F. L.	Annually	16	1,270
Playthings, Jewelry & Novelty				
Workers Int'l Union	C. I. O.	Every 2 years	93	35,300
Plumbing & Pipe Fitting Indus-				
try of U.S. & Canada, United				
Ass'n of Journeymen & Appren-				
tices of	A. F. L.	Every 4 years	716	180,000
Post Office Clerks, Nat'l Fed-				
eration of	A. F. L.	Every 2 years	4,500	88,000
Post Office Clerks, United Nat'l				
Ass'n of	Ind.	Every 2 years	3,395	35,000
Post Office Maintenance Em-				
ployees, Nat'l Ass'n of	Ind.	Every 2 years	255	7,500
Post Office Motor Vehicle				
Employees, Nat'l Federation				
of	Ind.	Every 2 years	101	4,600
Post Office & Railway Mail				
Handlers, Nat'l Ass'n of	A. F. L.	Every 2 years	75	1,500
Postal Employees, Nat'l				
Alliance of	Ind.	Every 2 years	98	18,000
Postal Supervisors, Nat'l Ass'n				
of	A. F. L.	Every 2 years	266	14,000
Postal Transport Ass'n, Nat'l	A. F. L.	Every 2 years	162	27,630
Postmasters of the U.S., Nat'l				
League of District	Ind.	Annually	45	25,000
Potters, Nat'l Bro. of Operative	A. F. L.	Annually	110	30,250
Printing Pressmen & Assistants'				
Union of N.A., Int'l	A. F. L.	Every 4 years	636	79,400
Public Workers of America,				
United	Ind. 4	Every 2 years	2	2
Pulp, Sulphite & Paper Mill				
Workers, Int'l Bro. of	A. F. L.	Every 3 years	490	120,000
Radio Ass'n, American	C. I. O.	Every 2 years	2	1,600
Radio & Television Directors				
Guild	A. F. L.	Annually	3	500
Railroad Signalmen of America,				
Bro. of	A. F. L.	Every 2 years	193	13,000
Railroad Telegraphers, The				
Order of	A. F. L.	Every 3 years	104	57,500
Railroad Trainmen, Bro. of	Ind.	Every 4 years	1,074	210,600

Railroad Yardmasters of America	A. F. L.	Every 3 years	60	3,600
Railroad Yardmasters of N.A., Inc.	Ind.	Annually	2	2
Railway Carmen of America, Bro. of	A. F. L.	Every 4 years	1,069	145,500
Railway Conductors of America, Order of	Ind.	Every 4 years	638	37,600
Railway Patrolmen's Int'l Union	A. F. L.	Annually	53	3,000
Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, Bro. of	A. F. L.	Every 4 years	1,828	350,000
Railway Supervisors' Ass'n, Inc., The American	Ind.	Annually	59	6,500
Railway Trainmen & Locomotive Firemen, Inc., Ass'n of Colored	Ind.	Every 2 years	29	2
Retail Clerks Int'l Ass'n	A. F. L.	Every 4 years	500	200,000
Retail, Wholesale & Department Store Union	C. I. O.	Every 3 years	185	65,000
Roofers, Damp & Waterproof Workers Ass'n, United Slate, Tile & Composition	A. F. L.	Every 3 years	224	13,400
Rubber, Cork, Linoleum & Plastic Workers of America, United	C. I. O.	Annually	255	150,000
Salaried Unions, Nat'l Federation of	Ind.	Annually	31	27,000
Seafarers' Int'l Union of N.A.	A. F. L.	Every 2 years	53	45,000
Sheet Metal Workers' Int'l Ass'n.	A. F. L.	Every 4 years	512	50,000
Shoe & Allied Craftsmen, Bro. of	Ind.	2	15	7,000
Shoe Workers of America, United	C. I. O.	Every 2 years	131	67,000
Shoe Workers Union, Boot & Siderographers, Int'l Ass'n of	A. F. L.	Every 2 years	115	50,000
Sleeping Car Porters, Bro. of	A. F. L.	Every 2 years	3	55
Stage Employees & Moving Picture Machine Operators of U.S. & Canada, Int'l Alliance of Theatrical	A. F. L.	Every 2 years	110	10,600
State, City, Town & County Employees, Federation of	Ind.	Annually	30	15,000

State, County & Municipal

Employees, American Federation of	A. F. L.	Every 2 years	1,100	90,000
Steelworkers of America, United	C. I. O.	Every 2 years	2,000	960,800
Stereotypers' & Electrotypers' Union of N.A., Int'l	A. F. L.	Annually	176	11,500
Stone & Allied Products Workers of America, United	C. I. O.	Every 3 years	130	2
Stone Cutters' Ass'n of N.A., Journeymen	A. F. L.	Every 2 years	103	1,900
Stove Mounters Int'l Union of N.A.	A. F. L.	Every 3 years	140	20,000
Street, Electric Railway & Motor Coach Employees of America, Amalgamated Ass'n of	A. F. L.	Every 2 years	456	120,000
Switchmen's Union of N.A.	A. F. L.	Every 4 years	260	8,900
Teachers, American Federation of	A. F. L.	Annually	392	50,000
Teamsters, Chauffeurs, Warehousemen & Helpers of America, Int'l Bro.	A. F. L.	Every 5 years	896	1,103,000
Telegraphers' Union, Commercial	A. F. L.	Every 2 years	100	35,400
Textile Workers of America, United	A. F. L.	Every 2 years	230	87,000
Textile Workers Union of America	C. I. O.	Every 2 years	752	373,800
Tobacco Workers Int'l Union	A. F. L.	Every 4 years	98	34,400
Tool & Die Craftsmen, The Society of	Ind.	Every 2 years	2	2
Train Dispatchers Ass'n, American	Ind.	Every 3 years	2	4,200
Trainmen of America, Colored	Ind.	Annually	2	500
Transport Service Employees of America, United	C. I. O.	Every 2 years	2	2
Transport Workers Union of America	C. I. O.	Every 2 years	60	2
Transportation Ass'n, Int'l	Ind.	Every 5 years	11	3,000
Typographical Union, Int'l	A. F. L.	Annually	838	95,700
Upholsterers' Int'l Union of N.A.	A. F. L.	Every 2 years	179	50,000
Utility Workers of New England, Inc., Bro. of	Ind.	Annually	20	6,000

Utility Workers Union of America	C. I. O.	Every 18 months	240	75,000
Wall Paper Craftsmen & Workers of N.A., United	A. F. L.	Every 3 years	26	4,300
Watch Workers Union, American	Ind.	Annually	5	8,800
Watchmen's Ass'n, Independent	Ind.	Every 4 years	7	2,500
Welders of America, Nat'l Union				
United	Ind.	Annually	3	400
Wire Weavers' Protective Ass'n, American	A. F. L.	²	6	350
Woodworkers of America, Int'l	C. I. O.	Annually	249	90,000

¹ Based on *Directory of Labor Unions, 1950*, U.S. Bureau of Labor Statistics, with additional later information. Includes Canadian membership of unions having locals in Canada. Data were obtained by Bureau directly from 170 unions. For others, the data were obtained from union publications or reported per capita payments to the Unions' parent federations.

² No information.

³ Determined by referendum upon petition of majority of locals.

⁴ Expelled by C.I.O. in 1950.

⁵ Expelled by C. I. O. in 1949.

⁶ Determined by membership referendum every 5 years.

⁷ Determined by membership referendum.

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Attention is called to the fact that this Index does not include references to titles in the Glossary of Labor Terms. Also, it includes only the names of unions which appear in the text.

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